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CV:

Kul Bhushan Mohtra was born on 9th Sep, 1957 in a village Amuwala in Kathua district.

Matric from BOSE, Jammu and Adeeb from AMU. Has been awarded Honorary Professor by School of Liberal Art & Languages, Shobhit University, Gangoh, Distt. Saharanpur, U.P.

Director General, Raja Ram Mohan Roy Library Foundation nominated him as his nominee in the Committee for purchasing of Books for UT Jammu & Kashmir. Incharge of Nanaji Deshmukh Library & Documentation Department at BJP state HQ in J&K.

Actively engaged in political, social, charitable and religious activities. Always striving to serve the poor and downtrodden of the society.

Main works-

A saga of Sacrifices: Praja Parishad Movement in J&K

100 Documents: A reference book J&K, Mission Accomplished

A Compendium of Icons of Jammu & Kashmir & our Inspiration (English)

Jammu Kashmir ki Sangarsh Gatha (Hindi)

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# Record File

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## RAU & ZAFRULLAH ON KASHMIR

Continued from page 1 col. 5

relations between the two countries and would be a stabilizing factor in Asia."

Mr Zafrullah Khan, who was also interviewed, criticized the Anglo-U.S. resolution asserting it failed to provide for "complete withdrawal of armed forces" and a complete guarantee against coercing and influencing voters in the proposed plebiscite.

Mr Zafrullah who is expecting to speak on the issue during the Security Council's resumed debate tomorrow said he still had no instructions from his Government, but his personal reaction was one of "vague disappointment."

The Pakistan Foreign Minister said geographically Kashmir was the "navel" of most of the Asian problems.

He said Indian and Pakistan troops faced each other over a two-year-old cease-fire line. To the north, the pressures of Communism were felt from neighbours—Russia, Communist China's Sinkiang province and Tibet, which Chinese Communist troops were invading.

Another neighbour, Afghanistan, was supporting an independence movement among Pakhtoonistan tribesmen.

Mr Zafrullah said Pakistan would not object to U.N. troops maintaining law and order in Kashmir during the plebiscite.

He added, however, the plebiscite must cover the whole of Kashmir and there could be no local adjustments, based on the plebiscite vote, that would amount to partial partition.—P.T.I.-Reuter.

## LIKELY CHANGES IN

## C.A. IDEA NOT SPONSORED BY INDIA

The Jammu and Kashmir Government exercised full authority over the State and was completely autonomous in all matters except defence, external affairs and communications, a Government spokesman declared in Delhi on Monday.

The spokesman who was commenting on alleged Pakistan propaganda that the Government of India were "running the show" in Kashmir, reaffirmed the view that the authority of the Indian Government over the Government of Jammu and Kashmir was limited only to these three categories as expressed by Mr Rau in his statement at the Security Council recently.

The spokesman also denied reports that the Government of India had sponsored the proposed Constituent Assembly for Jammu and Kashmir.—P.T.I.

## INDIAN FILM ON KASHMIR

LONDON, March 6.—"The Indian film "The Kashmir Story" made a surprise reappearance at a West End theatre over the week-end.

The cinema is within three minutes' walk of another where the pro-Pakistan film "Kashmir Conflict" is being shown.

Mr Victor Mishcon, Chairman of the London County Council's Public Control Committee, said there had been a "small disturbance" last night during the showing of the *Kashmir Story*.

He said: "I understand a small disturbance occurred last night at the cinema showing the *Kashmir Story*. It must be made clear the decision to permit the unconditional showing of the films before April 15 may have to be reconsidered if it appears any real threat of disorder is likely."

The managers of both London cinemas had taken

# NEW MEDIATOR FOR KASHMIR URGED

LAKE SUCCESS, March 6.

PAKISTAN today asked the U.N. Security Council to appoint "an outstanding personality" with full powers to resolve the long-standing dispute between India and Pakistan on the future of Kashmir.

Mr Zafrullah Khan called for "prompt and vigorous action."

He said whoever was appointed by the U.N. should have full powers for the discharge of his responsibility, including the power to effect demilitarization by removing or disbanding the military forces of all interested parties; to exercise effective supervision over the functions of Government in the State and to arbitrate on points of difference between the parties.

The Pakistan Foreign Minister also asked the Security Council to take the following action:

(1) Call upon India and Pakistan to withdraw their forces and to co-operate with the U.N. representative in the discharge of his duties;

(2) Ask India not to convoke a constituent assembly in Kashmir or make any attempt "to determine unilaterally the future of the State."

Mr Zafrullah Khan said by taking this action the Council would put "to a final and conclusive test" India's statement that she wished to honour her obligations under previous Council resolutions which called for a free and impartial plebiscite in Kashmir.

He said events in the world were moving fast and there was no time to lose. If the Council did not take prompt action, there would be "the greatest danger to the peace of Asia."

At the opening of his statement, Mr Zafrullah Khan said unfortunately very little progress had been made towards a peaceful settlement of the Kashmir question.

He said Mr B. N. Rau had set himself a "comparatively easy task." It was to impress upon the Council that it need do no more than accept Sir Owen Dixon's suggestion that the matter be left to discussion and settlement between the parties themselves.

### RAU'S "OBJECTIVE"

"At least a part of the objective he set himself was that the Council should be persuaded that the best thing to do now with regard to Kashmir was to do nothing," said Mr Zafrullah.

"All that was necessary for him to do was to put forward certain considerations which would show that a peaceful settlement was difficult—at least through the efforts of the Council—and that, therefore, the problem should be left to look after itself.

"Of course, the danger there is a problem left to look after itself may run wild. When it runs wild nobody can predict where it might run to and what it might bring in its wake."

He said his task was a more difficult one. It was to try to convince the Council that the situation was of such gravity that it required earnest, vigorous and speedy action if it was to be prevented from breaking out in a manner wherein peaceful settlement might be ruled out.

Further, his task was to indicate where previous efforts had "got stuck" and what was needed to bring the matter towards a speedy, peaceful settlement.

The whole argument of the Indian delegate rested on the "absolutely untenable assumption that India was in lawful occupation of Kashmir," he said.

### A 'CONSPIRACY'

"The stark fact is India's occupation of Kashmir was brought about as the result of a conspiracy between the Hindu ruler of Kashmir and the Hindu leaders of India, the victims of that conspiracy being the people of Kashmir.

"This conspiracy was hatched during the spring and summer of 1947 when some of the most prominent Hindu leaders visited Kashmir and persuaded the Maharaja to accept their point of view."

Mr Zafrullah Khan reinforced this part of his submission by quoting a statement by Pandit Prem Nath Bazaz, President of the Kashmir Democratic Union, who, he said, because he could not see eye to eye with a good many of the policies of the Maharaja had to spend a fairly long period in gaol. He had since been released.

Pandit Prem Nath Bazaz in his book on "Truth About Kashmir" had disclosed Sheikh Abdullah wrote a letter from gaol to a friend praying to the Maharaja that "he should neither remain independent nor join Pakistan but declare the State's accession to India forthwith."—P.T.I.-Reuter.

## FIGHT AGAINST MALARIA

### Kashmir Plan

(From Our Correspondent)

JAMMU, March 5.—It is learnt Jammu and Kashmir Government soon undertake intensive schemes fight out malaria and venereal eases in the State. Two chem laboratories will be established w research work will be carried on venereal diseases. Trained doctors be appointed in places dangero affected with these diseases. Two s doctors are already undergoing sp training for this purpose at Simla.

For combating malaria, a sepa small department will be set up u a specially trained doctor and the t area committees and panchayats be asked to co-operate with it.

*Dispensaries*: For efficient work of Ayurvedic and Unani dispensaries Jammu and Kashmir State, the Hea Committee has decided to grade th into three classes according to the pop lation served by each. The first cla will have Vaids and Hakims with least four years training in recognize medical institutions; the second clas with three years' training and the third class with four years' practical experience. The Government has also decided to train nurses and *dais* in Government hospitals in Jammu from the next financial year.

*Locusts*: On Friday last a swarm four miles long and three miles deep entered the State territory from East Punjab and flying over Basholi, Ramnagar etc., reached Udhampur, 40 miles from Jammu, where it divided into four units one flying along Banihal Cart Road and crossing Patni. No report of damage has been received so far. All swarms are being given hot chase by anti-locusts staff and the Director of Agriculture has proceeded towards Chanderkot with anti-locusts equipment and staff.

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THE HINDUS

# PAKIS[illegible] VIEWS ON NEW KASHMIR RESOLU[illegible]

LAKE SUCCESS, March 7.—Pakistan yesterday charged India with making a determined bid to conquer Kashmir State while the Security Council was continuing its efforts to bring about a solution by means of a free and impartial plebiscite.

In a series of modifications of the Anglo-U.S resolution now before the Council, Mr Zafrullah Khan, Pakistan Foreign Minister, asked for the following steps to be taken by the Council to ensure a free and impartial plebiscite in Kashmir:

(1) India should be asked not to proceed with the convening of the Constituent Assembly and make any attempt to determine unilaterally the future of the State.

(2) The U.N. representative should be authorized to (a) effect demilitarization of the State by removing or disbanding the military forces of all interested parties; (b) exercise effective supervision over all authorities in the State to ensure the freedom of vote; (c) arbitrate on all points of difference between the parties relating to the international agreement embodied in the U.N. Commission for India and Pakistan resolutions of August 13, 1948, and January 5, 1949 and take all measures he may consider necessary for carrying out the plebiscite.

(3) India and Pakistan should be called upon to withdraw their forces and to co-operate fully with the U.N representative in carrying out the plebiscite.

Mr Zafrullah Khan in a prepared speech, which he did not have time to complete but which was widely circulated, declared the Council would put "to a final and conclusive end" India's statement that it wished to honour its obligations under previous Security Council resolutions which called for a free and impartial plebiscite in Kashmir.

His statement added events in the world were moving fast and there was no time to lose. If the Security Council did not take prompt action there would be "greatest danger to the peace of Asia."

At the opening of his statement, Mr Zafrullah Khan said unfortunately very little progress had been made towards a peaceful settlement of the Kashmir question.

He said Mr B. N. Rau had set himself a "comparatively easy task." It was to impress upon the Council that it need do no more than accept Sir Owen Dixon's suggestion that the matter be left to discussion and settlement between the parties themselves.

## RAU'S "OBJECTIVE"

"At least a part of the objective he set himself was that the Council should be persuaded that the best thing to do now with regard to Kashmir was to do nothing," said Mr Zafrullah.

"All that was necessary for him to do was to put forward certain considerations which would show that a peaceful settlement was difficult—at least through the efforts of the Council—and that, therefore, the problem should be left to look after itself.

"Of course, the danger there is a problem left to look after itself may run wild. When it runs wild nobody can predict where it might run to and what it might bring in its wake."

He said his task was a more difficult one. It was to try to convince the Council that the situation was of such gravity that it required earnest, vigorous and speedy action if it was to be prevented from breaking out in a manner wherein peaceful settlement might be ruled out.

Further, his task was to indicate where previous efforts had "got stuck" and what was needed to bring the matter towards a speedy, peaceful settlement.

The whole argument of the Indian delegate rested on the "absolutely untenable assumption" that India was in lawful occupation of Kashmir," he said.

## A 'CONSPIRACY'

*"The stark fact is India's occupation of Kashmir was brought about as the result of a conspiracy between the Hindu ruler of Kashmir and the Hindu leaders of India, the victims of that conspiracy being the people of Kashmir.*

[illegible]

by Pakistan and rejected by India, thus setting the pattern for the many subsequent occasions when proposals for carrying out a free and impartial plebiscite made by eminent impartial authorities have been accepted by Pakistan and rejected by India."

The Pakistan Foreign Minister contended that while the Security Council was continuing its efforts to bring about a solution by means of a free and impartial plebiscite, India was making a determined bid to conquer the whole State.

Mr Zafrullah recalled that the U.N. Commission appointed by the Security Council came to the Indo-Pakistan subcontinent in July 1948, and finally, as a result of their efforts, the two U.N. Indo-Pakistan Commission resolutions dated August 13, 1948, and January 5, 1949, were accepted by India and Pakistan and endorsed by the Security Council.

The resolutions provided that demilitarization was to be carried out in two stages, said Mr Zafrullah. The first was the truce stage when the Pakistan forces and the bulk of Indian troops were to be withdrawn from the State.

## TWO RESOLUTIONS

That would leave a small Indian force and the State armed forces, including State Army and Militia, on the one side and "Azad Kashmir" forces on the other.

The final disposal of these remaining forces was to have been determined by the Plebiscite Administrator, having regard to the security of the State and the freedom of the plebiscite.

He said that the phrase "final disposal" included removal and disbandment and was not merely intended to refer to the localization of forces as had been wrongly assumed by the Indian representative.

The Indian representative was also wrong, said Mr Zafrullah, in asserting that the two resolutions "never contemplated complete withdrawal" of Indian forces.

Turning to the implementation of the agreement, he said that the provision for cease-fire and demarcation of the cease-fire line had been carried out.

Withdrawal of the tribesmen and Pakistan nationals was to be part of the truce state. No truce agreement had yet been arrived at.

Nevertheless, the tribesmen had been persuaded to withdraw and Pakistan volunteers had also withdrawn out of the 'Azad Kashmir' area.

"Thus, the Government of India were fully aware of the position regarding the 'Azad Kashmir' forces before they accepted the international agreement," said Mr Zafrullah.

He added that the fact that the 'Azad Kashmir' forces were not to be disbanded during the truce period when the bulk of Indian forces had to be withdrawn, had been "explicitly recognized" by the Government of India in Mr Bajpai's letter dated February 18, 1949 to the U.N. Commission.

"The position was also set out very clearly in a letter which the Commission wrote to the Indian Government on March 14, 1949.

"Notwithstanding this clear and explicit understanding of the position, the Government of India went back on their pledged word, and in contravention of the August 1948 and January 1949 resolutions made the withdrawal of the bulk of their forces conditional upon the disbandment and disarming of the 'Azad Kashmir' forces," he said.

Eventually the Commission had suggested arbitration of the points of difference by Adm. Nimitz, who had been accepted as the Plebiscite Administrator by both India and Pakistan.

This proposal for arbitration had been supported by "earnest appeals" by President Truman and Mr Attlee.

Pakistan accepted it, India rejected it.

The Commission could do no more and reported the matter back to the Security Council.

The Security Council asked its President, Gen. MacNaughton, to mediate. Gen. MacNaughton impressed with the fact *that India's refusal to withdraw the* bulk of their forces had been made in connection with the 'Azad Kashmir' forces, tried to meet the Indian objection by suggesting the withdrawal [illegible]

[illegible] pense Commonwealth [illegible] forces [illegible] poses of the plebiscite.

"This generous offer was accepted by Pakistan but rejected by India Similarly, Pakistan accepted and India rejected another proposal made by Commonwealth Prime Ministers for a joint Indo-Pakistan force to be stationed in Kashmir, for the purpose of plebiscite.

"A third proposal for the raising of a local force under the Plebiscite Administrator was also accepted by Pakistan and rejected by India."

Mr Zafrullah said India's refusal to demilitarize in accordance with her pledged word was "easily understood" if it were realized that the only hold India had over Kashmir was through her armed forces.

"She knows that the people of Kashmir in a free vote will want to join Pakistan and not India. She is determined, therefore, to keep her forces in the State and to prevent a free vote."

The Indian representative had painted an idyllic picture of conditions in India—of India's secularism, its regard for minorities and the manner in which administration in Kashmir was carried on by a Cabinet of seven of which five were Muslims. These were wholly irrelevant to the question of a free plebiscite.

"I will not, therefore, refer to the numerous disabilities—political, economic, cultural and social—from which the Muslims in India continue to suffer," added Mr Zafrullah.

"Nor need I deal with the wholly false insinuation about conditions in Pakistan which the Indian representative has sought to make through the mouth of the Kashmir National Conference. I will also not dwell upon the abject misery and terror in which the people of Indian-occupied Kashmir are living.

Mr Zafrullah said population, cultural and religious bonds; flow of trade; economics, communications, geographical position and strategic considerations—all these pointed consistently in the direction of Kashmir to Pakistan.

He added: "We have not asked accession of Kashmir to Pakistan on these grounds. We have agreed that the matter should be settled through the expressed wishes of the State."

India had resented the fact that the Kashmir question had been represented as a Hindu-Muslim question and had challenged the argument that since Kashmir was predominantly Muslim it rightfully belonged to Pakistan.

## SECULAR INDIA

"As the Security Council is aware, Junagadh was invaded by the Indian Army and occupied by force. This act of aggression still continues and is one of the problems to be resolved by the Security Council between India and Pakistan.

"Hyderabad, the biggest State in the Indo-Pakistan sub-continent, has a majority of Hindus in the population and a Muslim ruler. Hyderabad sought to remain an independent State in treaty relations with India.

"Hyderabad even offered a plebiscite, but this was turned down by India. Because Hyderabad has a majority of Hindus in its population. Hindu India demanded that it should accede unconditionally to India. As is known, Hyderabad was overrun by Indian armed forces and its problem is still pending before the Security Council. This is perhaps enough to indicate the secular, progressive and peace-loving character of the Union of India."

"Junagadh's accession to Pakistan was challenged by India. The ruler of Hyderabad is denied the right to remain independent. But when the Maharaja of Kashmir in circumstances when his rule has been repudiated in the clearest possible manner by the majority of his subjects, and when he had forfeited the right to rule, signed a fraudulent Instrument of Accession, this is regarded by the Government of India as completing the legal requirements and converting Kashmir into a unit of the Indian Federation.

"It is this wholly invalid transaction which is used as the cloak for Indian aggression in Kashmir.

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[illegible] of you who may claim experience of these matters will be able to judge how much preparation must have preceded an operation of that kind," said Mr Zafrullah.

"It is sought to persuade the Council that all this had happened merely as the result of the Maharaja's appeal for armed assistance in order to quell what are described as disturbances in the State.

Mr Zafrullah said that from October 19, 1947, onwards the Government of Pakistan made repeated efforts to reach a settlement with the Indian Government whereby the people of [illegible]r could settle their future in a free plebiscite.

"Although the Government of India expressed its willingness to withdraw the troops and allow a free plebiscite to be held under the auspices of U.N. in actual practice it was prepared to do neither.

"This has been the pattern of events from the very beginning; profession of a desire to withdraw forces from Kashmir and allow a free plebiscite are accompanied by a determination to continue the military occupation of Kashmir."

### INDIAN VIEW

"The latest of these professions is that of the Indian representative before the Council; the earliest was contained in Prime Minister Nehru's telegram of November 8, 1947, which we have repeatedly stated are (1) that the Government of Pakistan publicly undertake to do their utmost to compel the raiders to withdraw from Kashmir; (2) that the Government of India should repeat their declaration that they will withdraw their troops from Kashmir soil as soon as the raiders have withdrawn and law and order are restored; (3) that the Governments of India and Pakistan should make a joint request to U.N. to undertake a plebiscite in Kashmir at the earliest possible date. In the many discussions that took place between Indian and Pakistani representatives about this time, India was found to be unwilling to put into practice what had been stated by Mr Nehru in his telegram quoted above.

Mr Zafrullah said instead of coming to U.N. on a joint request to undertake plebiscite in Kashmir, India had lodged a complaint that Pakistan was assisting those who were challenging India's military occupation.

"The Security Council heard India's complaint and Pakistan's reply" he said, "and came to the conclusion that the only just and democratic solution in Kashmir was a free and impartial plebiscite under the auspices of U.N. to determine whether Kashmir should accede to India or Pakistan.

"As to the conditions of the plebiscite I might quote the representative of France, who said: 'I feel that three conditions are necessary in connection with this plebiscite. In the first place, all foreign troops must be removed from Kashmir; secondly, all the original inhabitants of Kashmir, both Muslims and Hindus, must be allowed to return to their places of residence. Thirdly, a free administration must be set up in Kashmir which will not exercise any pressure on the population and will thus ensure the fairness of the plebiscite.'

"Similar views were expressed by the majority of the members of the Security Council. These views were crystallized in a draft resolution which was brought before the Council by its President on February 6, 1948.

"This draft resolution was accepted banding of forces on both sides, including the "Azad Kashmir" forces and the State Army and Militia.

The Government of India flatly rejected Gen. MacNaughton's proposals, mainly on the ground that he had suggested the disbandment of State armed forces, although this was clearly provided for in the January 5, 1949, resolution.

Another "favourite device" of the Indian Government had been to accuse Pakistan of aggression The Pakistan Army moved in defence of Pakistan's own vital interest to hold certain defensive positions in May 1948

This was known to the Government of India, had been argued before the Security Council and the U.N. Commission and had been taken into account in formulating the resolutions of August 13 and January 5 No new factor had entered into the situation. It was with full knowledge of the situation that the Government of India accepted the international agreement.

Nevertheless, the Government of India had continually put forward this as an excuse for not fulfilling their obligations under that agreement.

Still another excuse put forward by India was fear for security of the State. These apprehensions were said to arise from fear of attack by Pakistan or by tribesmen.

Assurances had been repeatedly given by the Government of Pakistan not only that there was no question of attack by Pakistan forces but also that Pakistan would stop the incursion of tribesmen into the State.

"The Government of India disregards these assurances," he said "Like all others who have dealt with the problem Sir Owen Dixon pointed out that these exaggerated fears for the security of the State had no ground in fact."

### LONDON SUGGESTIONS

"Again and again on this pretence of regard for the security of the State, which both U.N. Commission and U.N. representative found to be uncalled for, the Government of India have refused to withdraw their forces from the State," said Mr Zafrullah.

"When the Commonwealth Prime Ministers met in London in the first half of January this year to discuss the Kashmir question, the Prime Minister of India again put forward the security of the State as his excuse for his refusal to withdraw Indian forces from the State.

"Since the Commonwealth Prime Ministers recognized that no free plebiscite could be held in the presence of Indian troops, they tried to meet the Indian Prime Minister's apprehensions, however groundless they themselves thought they might be, by offering at their own ex-

### AGGRESSION COMPLEX

"There are other areas in which Indian aggression has been at work but I need not refer to them here. The stark position in Asia is that Indian aggression is on the march.

"It has used various devices to camouflage itself. Sometimes, as in Junagadh, it operates in the name of Indian integrity It was hard to put to it to find any excuse for what it called 'police action' in Hyderabad, but which was in fact nothing less than a military invasion on a large scale.

"In Kashmir it takes on the colour of a spurious legality, in other areas it has even used the sacred name of democracy."

### NEW SCHEME

India had put forward a scheme to the President of the Security Council in January, 1948, that the Maharaja's interim Government in Kashmir should, as soon as the restoration of normal conditions had been completed, take steps for convoking of a national assembly.

A national government based upon the national assembly was to have a plebiscite taken on the question of accession. The national assembly was also to frame a new constitution

"Since all of these steps were to be taken in the presence of Indian troops and by the Indian controlled Government, the result of each step was a foregone conclusion," he said

"The President of the Security Council was not prepared, therefore, to look upon the scheme as providing a fair means for ascertaining the wishes of the people of the State That, however, has not deterred the Government of India from putting the scheme into effect."

In 1948, the Indian representative had maintained "the elaborate pretence" that the decision whether to give effect to it or not rested with the autonomous Maharaja's Government and that the Government of India could not impose any decision on that Government.

### PRINCELY STATES

"The manner in which the Government of India have during the last three years liquidated these autonomous Princely States is by now well known to the world," said Mr Zafrullah.

"Mr Rau in repeating his predecessor's observations about the autonomy of the Maharaja's Government in Kashmir and the limitations of the Government of India in dealing with it, is presuming a little too much upon the credulity of the world."

In pursuance of their scheme, the Government of India has included Kashmir in the Constitution as one of the units of the Indian Union, and has provided in the Constitution for a Constituent Assembly to be convoked in Kashmir.

"The Constituent Assembly which is now being convoked in Kashmir is thus the result of a long-thought-out scheme and is a clear indication that the Government of India had never any intention to proceed with a free plebiscite under U.N. auspices," said Mr Zafrullah.

At the suggestion of the Council President, Mr Zafrullah interrupted his speech at this point and agreed to continue tomorrow. He spoke for two hours and 20 minutes.

The Council adjourned for the day.—P.T.I.-Reuter.

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NEW DELHI EXHIBITION OF PAINTINGS

(By An Art Correspondent)

An exhibition of the paintings of Husain, of the Bombay Progressive Artists' Group, was opened in New Delhi yesterday by Dr Tara Chand, Educational Adviser, Government of India under auspices of the New Delhi Centre.

Husain belongs to the Expressionist school, a school which took its birth in Germany shortly before World War I a revolt against Impressionism. The Cubists flourished much later, but without knowledge of Cubism; the Expressionists distorted their forms and painted in exaggerated colours. The main aim was to produce an emotional reactio

The Hon'ble Shri Ram Ahmed Kidwai
The Hon'ble Dr B. R. Ambedkar
The Hon'ble Shri N. Gopalaswami Ayyangar
The Hon'ble Shri Hare Krushna Mahtab
Sardar Balwant Singh Puri.

(By Our Legal Correspondent)

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we have done well on the field but because we feel we have done good to Indian cricket," Duckworth said in a message on the eve of the departure of the team.

"Indian cricket has definitely benefited by our visit," he added.

George Duckworth

The Commonwealth cricket team is sailing for England tomorrow by s.s. *Chusan*.

The second Commonwealth team, like Arthur Gillingan's team, had the distinction of completing its five-month tour of India and Ceylon without losing a single match. They won the rubber in the "unofficial" Test series against India by winning two and drawing three.

"It is no disgrace India failed to win a Test," Duckworth said. "In my opinion, the second Commonwealth side has been a magnificent cricket team, it would have been hard for any country in the world to beat it."

Duckworth was glad the coaching in India would be persevered with, so that after another first class visit next year by the M.C.C., India would be in a very good position to send to England "the strongest side ever."—P.T.I.

## "VIZZY'S" MESSAGE

On the eve of the Commonwealth cricketers' departure for England after the conclusion of their tour the Maharajkumar of Vizianagaram, in a message to the tourists' captain, Leslie Ames and manager, George Duckworth, says :

"Your consistent performance in all matches, and particularly the Tests has been such that we should acknowledge that the better side has won. I am not aware of any team having left the Indian shores unbeaten so far, excepting the one that you and Worrell have so ably led. Please convey my good wishes and fecilitations to the members of your magnificent team."—P.T.I.

## M.C.C. LEAD AUCKLAND: FINE KNOCK BY COMPTON

AUCKLAND, March 7.—M.C.C. made an impressive start of their New Zealand tour yesterday when they spun out Auckland for 146 runs in their first innings in their three-day match here. M.C.C., who were at draw of stumps yesterday so far one wicket, declared their first innings closed at tea today at 298 for 7 wickets. They led the home team by 152 runs.

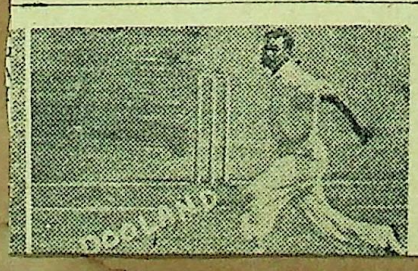
Denis Compton, top-scorer with 78 and John Dewes, 61 not out, recaptured their best forms helping M.C.C. to gain a strong position. Auckland were still in arrears at close of play today, having lost two second innings wickets for 67.

**SCORES**

**AUCKLAND—1st innings 146**

**M.C.C.—1st Innings :** Hutton b Cleverley 59, Washbrook c asd b Cammish 11, Parkhouse b Cleverley 19, Compton c and b Burke 78, Sheppard c Kent b Clarke 25, Dewes (not out) 61, McIntyre c Cammish b Burke 14, Wright c Cammish b Cleal 7, Warr (not out) 0, Extras 14. Total (for 7 wkts. decl.) 298.

**AUCKLAND—2nd innings :.** Dwyer b Tattersall 24, Scott c Compton b Wright 12, Coleman (batting) 15, Wallace (batting) 8, Extra 8, Total (for 2 wkts.) 67.—P.T.I.-Reuter.



# Kashmir Deadlock Threat To Peace

## Mr Menzies' Plea For Early Settlement

CANBERRA, March 7.—Mr Menzies told the House of Representatives here tonight the Kashmir dispute was neutralizing the whole Indian sub-continent in the growing world conflict.

Kashmir was only a small country of 4-1|2 million people, the Premier said, but a year ago very few people imagined incidents in remote Korea could have brought us to the verge of a great war and involved the U.S.A. alone in casualties associated with a major conflict.

Mr Menzies

Mr Menzies was reporting on his overseas tour which included the Commonwealth talks in London.

As long as the Kashmir dispute remained unsettled, it would be provocative and dangerous, Mr Menzies added. It would be full of the gravest menace to Australia not only because of its influence on the world generally, but because of its immediate effect upon the security of the Middle East.

From his talks with the leaders of the countries concerned there was no reason to believe that, assuming a common desire and goodwill, the dispute could not be settled.

The Opposition leader, Mr Joseph Chifley, said the emergence of India and Pakistan as independent nations had made a very great difference to the viewpoints which might be expressed at Prime Ministers' conferences such as that attended by Mr Menzies.

Any move India made would ultimately be followed by Pakistan and Ceylon, he added. "If Britain had not given India, Pakistan and Ceylon the right of self-government and self-determination, the whole of the East would be aflame today," he said.

It would be wrong for the Western Powers, when envisaging policies for Asia, to take any political action that was going to provoke India, Pakistan or Ceylon, Mr Chifley continued.

To imagine all the troubles in the East ar due to Communism was also a fallacy. All the radical revolutionary movements in those countries did not come from the lower working class but from the intelligentsia.—P.T.I.-Reuter.

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# PAKISTAN AGAINST DIRECT TALKS

## Zafrullah Insists On U.N. Mediation

LAKE SUCCESS, March 7.—Mr Zafrullah Khan told the Security Council today ever since the Kashmir dispute arose repeated efforts had been made by Pakistan in direct negotiations with India to arrive at a just solution.

He said immediately after the tribal incursions into Kashmir it was suggested to the Government of India on behalf of the Pakistan Government that the matter should be submitted to their respective Governors-General, who should issue an appeal for the restoration of law and and order. Pakistan undertook, if the appeal failed to secure the withdrawal of the tribesmen from Kashmir, to be prepared to take military action jointly with India to expel them.

Once that had been done the administration of the State should be the responsibility of the two Governors-General.

He said India had not agreed on the ground that it was not willing to invest its Governor-General with the needed authority. Pakistan, however, had been ready to give such authority to its Governor-General.

Mr Zafrullah said since that first attempt at a settlement many others had been made without avail. Therefore, it was a "wholly unrealistic suggestion" that the parties should be left to settle the matter by negotiation.

The Pakistan representative read a message from Sardar Mohammad Ibrahim Khan, former head of the "Azad Kashmir" Government, repudiating the statement attributed to him that Indo-Pakistan disputes should be settled between the two countries by mutual discussion.

Mr Zafrullah declared: "What India wants is to consolidate its hold on Kashmir and gradually alter the composition of the populations by driving out more and more Muslims as refugees into Pakistan and settling Hindus and Sikhs in their place.

"It calls this process 'settling down' and does not want the Security Council or anybody else to disturb it. India resents any suggestion that it should relax its hold on Kashmir."

Mr Zafrullah said the majority of the population of Kashmir was being held down by military force.

Referring to the Indian representative's complaint that Pakistan propaganda was threatening war over Kashmir, he referred to the statement of the President of the Hindu Mahasabha in which he was alleged to have said the solution in Kashmir was to "attack and attach" it.

He said there was no reason to question the statement of Mr B. N. Rau that India had already reduced its forces in Kashmir by 20 to 25 per cent without waiting for any corresponding reductions by Pakistan.

"On the other hand our information is that even after this reduction India maintained at present something like four divisions in Kashmir," he said.

"This is many times the strength of Pakistan forces in the 'Azad Kashmir' area. The total strength of Indian forces in Indian-occupied Kashmir is about 65,000 which means one Indian soldier for every 40 Kashmiris. In addition there are State armed forces totalling 21 battalions."

# GOVT. RESUMPTION OF JAGIRS

## Kashmir Ruler's Firman

**(From Our Correspondent)**

JAMMU, April 1.—Yuvraj Karan Singh, as constitutional ruler of the Jammu and Kashmir State, has issued a firman, according to which, first, all *jagirs* tenable during the pleasure of His Highness or held in perpetuity will be resumed and all other lands granted to *jagirdars* or *illaqadars* by way of compensation or relinquishment of jagir share in favour of parent stock or in lieu of conversion of assigned revenue in kind into cash or otherwise will revert to the Government; secondly, all *khudkasht* and residential units of land granted to *jagirdars* and *illaqadars* will be resumed, thirdly, all *muafis* and *mukarrari* tenable during the pleasure of His Highness or held in perpetuity or during the life-time of *muafidar* or *mukarrari* holder as the case may be, or held in lieu of some political or specific service rendered and all other land revenue assignment will be resumed.

The firman will be deemed to have taken retrospective effect from April 13, 1948 and will supersede all previous orders made from time to time on the subject. The firman also withholds and stops several rights, concessions and exemptions attached to such grants.

The firman further lays down that no suit, prosecution, or other legal proceeding whatsoever, will be against Government or any officer or authority for or in respect of any act or thing done in pursuance of this order, whether before or after the commencement of the order.

It will be recalled, nearly three years ago, the Jammu and Kashmir Government passed orders resuming certain *jagirs* and other assignments of land revenue and also took action accordingly. The Yuvraj has now, as constitutional ruler of the State, in view of the "grave emergency and acute financial stringency" as stated in the preamble to the firman regularized this action of his Government.

*Land Transfer*: According to Government report good progress has been made in the transference of land to the tillers under the recently enacted Abolition of Big Landed Estates Act in Jammu and Kashmir. By the middle of March 50 kanals of land were transferred to 20,695 tillers while the number of beneficiaries stood at 83,004.

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The Institute of Underwriters, London, cut their rates for war-risk insurance on Friday for voyage to China from £5 to £3 per 100.

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## THREAT TO PEACE ALLEGED

Mr Zafrullah said: "In these circumstances India's continued occupation of Kashmir by force and its insistence on retaining its forces in Kashmir is a most flagrant act of aggression and a most potent threat to the maintenance of international peace."

The Minister declared the problem before the Security Council now was to insist India carry out the obligations it had undertaken.

"The disparity between India's professions and its actions is so wide that most people are puzzled by it. They imagine that a great country claiming to be a peaceful U.N. member and professing to base its conduct on the loftiest moral principles can hardly be so inconsistent where its own obligations are concerned."

He said: "What is now needed is prompt and vigorous action. The Security Council should depute an outstanding personality of high repute and standing to bring about the implementation of international agreement and give him full powers to discharge his responsibilities.

"These powers should include power to effect demilitarization by removing or disbanding the military forces of all interested parties, to exercise effective supervisory functions of Government in the State and to consider finally any points of difference between the parties relating to international agreement.

"At the same time both India and Pakistan should be called upon to withdraw their forces and to extend full co-operation to the U.N. representative in the discharge of his duties.

"India should be asked not to proceed with convening a Constituent Assembly in Kashmir or to make any attempt to determine unilaterally the future of the State. By taking this action the Security Council would be putting to final and conclusive test the professions of the Government of India that it wants to honour its obligations under the August 13, 1948, and January 5, 1949 resolutions.

"If this solution finds acceptance by the Security Council there are some clauses in the draft resolution which should be omitted and others which need to be amended. For example, the paragraph relating to the possibility of boundary adjustments would be partial partition of the State."

He said all the difficulties had arisen because of India's obstructions in the way of a free plebiscite and can be removed by a clear directive from the Security Council.

The Council President said Mr Rau had intimated his desire to reply to Mr Zafrullah at an early date but would like to have time for preparation.

The debate was adjourned until Friday.

—P.T.I.-Reuter.

## ANGLO-U.S. RESOLUTION CRITICIZED

**(By Our Staff Correspondent)**

The Delhi State Political Conference on Wednesday expressed grave concern over the latest Anglo-U.S. resolution on Kashmir. It considered this move was intended to constitute a new trap for India and create further complications in the matter and thus jeopardize all chances of an early and just solution of the Kashmir problem.

The conference felt the U.N. had completely failed to bring about a settlement of the problem due to the manoeuvring of the Anglo-U.S. Bloc which was interested in the perpetuation of the Indo-Pakistan strife on Kashmir and had an eye on the State as a possible military base in the event of an international conflagration. The conference reiterated its faith in the strength and greatness of the Kashmir people and endorsed their inalienable right to decide their own future through the instrument of the proposed Constituent Assembly.

By another resolution, the conference expressed its resentment over the "ruthless strangulation of civil liberties of the people in the State of Delhi."

The conference also urged the Government to stay the eviction of displaced persons from Government buildings and withdraw the Delhi [illegible] suggested displaced persons should be rehabilitated on co-operative lines and the Government should reorientate its rehabilitation policies.

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THE TIMES OF INDIA MARCH 10, 1951

*READERS' VIEWS*

# India's Policy On Kashmir

To The Editor, "The Times of India"

Sir,—Indian newspapers have rightly reacted strongly to the new Anglo-American resolution on Kashmir. But have we not only ourselves to blame for the attempts that are being made by interested Powers to put us in the wrong? Our Government's policy on Kashmir has been consistently weak. They allowed the basic points in the original complaint to the Security Council to be clouded by subsidiary issues; they acquiesced in the foisting of the U.N.C.I.P. on the people of Kashmir, although their national organisation had decided to boycott it.

Our Government agreed to a cease-fire when our armies had established their superiority over the aggressors. The Prime Minister himself admitted in Parliament the other day that the Government of India "have never asked the U.N. to brand Pakistan an aggressor". In view of all this, is it to be wondered at that interested Powers want us to make a present of Kashmir to Pakistan?

More than a week has elapsed since the resolution on Kashmir was introduced in the Security Council. Although the resolution is heavily loaded in favour of Pakistan, her leaders have criticised it. We must learn to publicise our case. What is one to say of A.I.R. which did not care to broadcast the views of our national newspapers for the benefit of ill-informed foreigners?

P. N. GANHAR.

Srinagar, March 4.

# Pakistan's Charges Denied

## MR. RAU ADDRESSES SECURITY COUNCIL

LAKE SUCCESS, March 9.

The Indian delegate, Mr. B. N. Rau today denied in the Security Council the Pakistan allegation that the accession of Kashmir to India was the result of a conspiracy involving Sheikh Abdullah, present Prime Minister of Kashmir.

Mr. Rau dealt point by point with the last speech made in the Council by Sir Mohammed Zafrullah Khan, Pakistan Foreign Minister.

"The first point I should like to deal with is the allegation that the accession of Kashmir to India was the result of a conspiracy in which Sheikh Abdullah, present Prime Minister of Kashmir, was a tool," Mr. Rau declared.

"How else, it is asked, could the Indian Army have been flown to Srinagar on the very day Lord Mountbatten accepted the accession, that is October 27, 1947."

Mr. Rau quoted from a statement of the Indian Prime Minister to show that the first request from Kashmir for accession and military aid came on October 24, 1947. By October 26, the raiders had already caused considerable damage and the fate of Kashmir hung in the balance.

"India therefore decided to send troops on the afternoon of October 26 and these were despatched by air on the October 27."—P.T.I.-Reuter.

*Message Incomplete*

The Times of India

Wednesday, March 14, 1951

# *Motion On Kashmir May Be Modified*

**LAKE SUCCESS, March 13: Britain and the United States are now having talks with other members of the Security Council on possible modifications of the Anglo-American resolution on the Kashmir problem, it was learned here today.**

**A well-informed British source said the sponsors of the resolution, as well as other members of the Council were trying to see how far they could meet some of the points raised in the debate by contending parties.**

**India's representative in the Council, Mr. Narsing Rau, had stated earlier that India could not accept the two provisions in the Anglo-American resolution dealing with arbitration and with the use of outside troops in Kashmir.**

**The Council will meet on Thursday to resume debate on the issue.—P.T.I.-Reuter.**

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THE TIMES OF INDIA WEDNESDAY MARCH 14, 1951

# ATTACK ON KASHMIR WILL MEAN WAR

## Mr. Nehru's Warning To Pakistan

## CONSPIRACY CHARGE REFUTED

**From Our Special Representative**

A WARNING that any new attack on Kashmir by Pakistan as a result of her persistent talk of "jehad" would be considered as an attack on India herself, was given by the Prime Minister, Mr. Nehru, in New Delhi on Tuesday.

**Declaring that India would not permit foreign troops of any kind to enter Kashmir, nor set aside the lawfully established popular Government there, Mr. Nehru reiterated his Government's determination to provide the necessary minimum security for Kashmir as "there is always danger of a barbarous invasion."**

The Prime Minister, who was answering a volley of qu from pressmen for an hour and a quarter, elucidated Gov policy on a variety of national and international p cluding Nepal, Tibet, use of atom bomb, general elec crisis and Communists.

In a prepared statement on Kashmir which he read out at the outset, Mr. Nehru described Sir Mohammed Zafrullah Khan's charges of conspiracy on the part of India as cent. per cent. false and declared firmly that India would not be prepared to deal with those who wished to insult and bully her by repetition of threats and falsehood and even go to the extent of questioning India's honour and "bona fides".

Accusing Pakistan of going back on the agreements with the United Nations and India over the issues of demilitarisation and sovereignty of the Kashmir Government, the Prime Minister reaffirmed that India stood by every word of those undertakings and added: "We are prepared now as ever to give every opportunity for a free determination by the people of Kashmir of their future."

**DIRECT TALKS**

Mr. Nehru said that the Government of India did not insist on Pakistan being named an aggressor or sanctions enforced against her because that was not the way of facilitating a settlement, but the fact of Pakistan's aggression could not be ignored in any proposal for a solution of the Kashmir problem.

Asked about the prospects of Indo-Pakistan negotiations, the Prime Minister agreed that no imposed solution would be enduring and, therefore, a mutual settlement would be desirable. He, however, felt that threats of *jehad* and talks of conspiracy hardly provided the necessary congenial atmosphere for such direct approach.

When a correspondent suggested the possibility of Kashmir becoming a base of operations for Communism, the Prime Minister felt that there was no justification for such fear, as Kashmir, according to him, was free from that sort of thing. He was not aware of any particular movement for such development in Kashmir. He characterised the Australian Prime Minister's statement that Kashmir constituted a threat

*Continued on page 5 col 1*

# India Govt. Not Suppressing Communists

## MR. NEHRU CLARIFIES STAND

*Continued from page 1 Col. 1*

to Australia as "slightly exaggerated."

Referring to Nepal, Mr. Nehru said that the Interim Government there was gradually finding its feet and functioning more and more effectively. There were a few small criminal groups and other anti-social elements operating in Nepal but the local Government were tackling the situation. He asked pressmen not to confuse advocates of Communism with anti-social elements disturbing the peace there.

The Prime Minister affirmed that the talks would soon be held between representatives of the Dalai Lama and the Chinese Government at Peking for a settlement of the Sino-Tibetan problem.

**TROOPS IN TIBET**

Asked whether India was not interested in the talks particularly in view of the fact that she had stationed small Indian detachments in Tibet, Mr. Nehru said that the primary purpose of Indian troops in Tibet was to protect the trade routes between India and Tibet. He made it clear that the troops were there and could continue to be there only with the goodwill of the people and Government of Tibet.

The Prime Minister shuddered at the possibility of the use of the atom bomb as it would mean tremendous physical collapse and even greater moral collapse of humanity. He referred to the various views expressed by experts on the far-reaching evil consequences of the use of the atom bomb.

Some correspondents closely cross-examined the Prime Minister on Government's failure to implement labour welfare measures, such as enforcement of minimum wages and State insurance.

The Prime Minister pointed out that all these problems were being tackled in an integrated way for the first time with the assistance of the Planning Commission, as piecemeal solution of individual problems would not be an enduring remedy for them.

**APPARENT INCONSISTENCY**

When a correspondent pointed out what he described as the apparent inconsistency of Government's policy towards Communists at home and abroad, the Prime Minister deplored the practice of hurling slogans against one another in the name of Communism and democracy. The Government of India were not suppressing Communists but were dealing with the terrorist activities of the Communists. The Communist Party was not banned in all parts of India but only in areas where it challenged the established Government by violence. The best way the Indian Communists could indicate change in their policy was to practise their professions.

Asked why India should sympathise with the Muslims of Morocco or elsewhere when they adopted an anti-Indian attitude in regard to Kashmir and other problems, the Prime Minister said that India's policy was based on fundamental principles of racial equality and democracy in supporting the freedom movement of dependent peoples of Africa and Asia. Long before the advent of freedom, India had condemned colonialism and racial discrimination in all their ramification. Their sympathy with the nationalist forces in Morocco and other places struggling against foreign domination were therefore justified. He hoped the rival parties would act wisely and a settlement would soon be reached between the French Government and the nationalist forces.

P.T.I. adds:

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munists but were dealing with

*P.T.I.* adds:

Asked what would be the status of the Kashmir Constituent Assembly, the Prime Minister said, "During the last three years or so, we have, naturally, thought of giving some kind of organised expression to the Government, some popular legislature or something, which, because of the troubles in Kashmir, could not be done. Ultimately, the Kashmir Government decided, quite rightly, that they should have elected representatives out of whom their Cabinet might be chosen and which could decide also many other questions. If your question is whether this comes in the way of the Security Council or any decision, then it does not come in the way. We have said that quite clearly."

Replying to further questions, he said, "The Kashmir Constituent Assembly is essentially meant to give constitutional background, additional background, to the Government. Of course, nobody can prevent an assembly like that from expressing its wishes on any matter. So far as we are concerned, we have given our word in regard to the matter of the plebiscite, and if the conditions are such as we have agreed to, we are perfectly prepared to go on with it."

Asked whether the Constituent Assembly would represent only the areas at present administered by the Government of Kashmir or also the areas under "enemy occupation," the Prime Minister said, "Surely it can only represent the areas from which people are elected."

Asked whether he had seen a foreign correspondent's report that the basic cause of the unrest which resulted in the arrest of Maj-Gen. Akbar Khan and others in Pakistan was the unsolved problem of Kashmir, Mr. Nehru said, "I think the Defence Secretary of Pakistan said that the India had nothing to do with this matter.

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روزانہ ملاپ ۱۶ مارچ ۱۹۵۱ء نئی دہلی

# پنڈت نہرو زندہ باد!

16 مارچ 1951

اُدھر کے الفاظ میرے مُنہ سے اسوقت بیساختہ نکلے، جب میں نے پنڈت جواہر لال جی نہرو کا وہ بیان پڑھا جو انہوں نے ایک پریس کانفرنس میں کشمیر کے متعلق قائم اس بیان میں بہت سی باتیں ہو بہو ویسی ہیں جیسی کہ میں ان کالموں میں لکھتا رہا ہوں۔ مثال کے طور پر یہ بات کہ کشمیر اپنی اور قانونی طور پر بھارت کا حصّہ ہے۔ پھر یہ بات کہ جبتک پاکستان ہندوستان کیخلاف غلط اور بیہودہ الزام تراشی کا سلسلہ بند نہیں کرتا تب تک اس کے ساتھ کشمیر کے مسئلہ پر کوئی بھی بات کرنے کو تیار نہیں۔ تب تک یہ بات کہ ہم نے ریفرنڈم کی پیشکش کی تو کشمیری عوام کو۔ پاکستان یا سکیورٹی کونسل کو نہیں۔ جب تک کشمیری عوام خود ہی ریفرنڈم کا مطالبہ نہ کریں۔ تب تک اس پیشکش پر عمل کرنیکا کوئی سوال پیدا نہیں ہوتا۔ اور آخر میں یہ بات کہ اگر اب کشمیر پر حملہ کیا گیا تو ہم اسے ہندوستان پر حملہ تصور کریں گے اور اس کا وہی جواب دیں گے جو ہندوستان پر حملے کا دیا جاتا چاہئے۔ یہ چاروں باتیں وہ ہیں جن کا میں نے ان کالموں میں کئی بار ذکر کیا ہے اور اپنے دیش کے لیڈروں سے مطالبہ کیا ہے کہ وہ بلاخوف و خطر ان کا اعلان کریں۔ پنڈت جواہر لال جی نے میرے کہنے پر یہ سب باتیں کہیں ایسی بات تو میں نہیں کہتا۔ لیکن سارے دیش کے اندر کشمیر کے متعلق جو بھاؤ موجود ہیں ان کی ترجمانی پنڈت جی نے صاف اور کھلے شبدوں میں کر دی اسلئے انکا بیان پڑھتے ہی میرے دل میں پنڈت نہرو زندہ باد کا نعرہ گونج اٹھا تھا۔

یہ باتیں اب سے بہت پہلے کہی جانی چاہئے تھیں۔ بہت پہلے سے ہمیں کہہ دینا چاہئے تھا۔ کہ سکیورٹی کونسل میں جو کچھ ہو رہا ہے وہ ایک انسو سناکہ اور مضحکہ ناک تماشہ ہے کشمیر کے اصل مسئلے سے اس کا کوئی تعلق نہیں ایک طرف انگلو امریکی بلاک کی شاطرانہ چالیں۔ دوسری طرف پاکستان کا جبر اور ظلم۔ دونوں نے مل کر کشمیر کے مسئلے کو ناقابل حل بنا دیا ہے۔ رکھسی رائی کا پہاڑ بنا دیا ہے۔ کھسی پہاڑ کو رائی کر دیا ہے۔ ایک اچھا خاصہ فریب پھیلا دیا گیا ہے۔ جو ہے وہ نہ ہونے میں ظاہر کیا جا رہا ہے۔ جو نہیں ہے، وہ اس طرح بیان کیا جا رہا ہے۔ جیسے اس کے سوائے اور کچھ بھی نہیں تھا۔ اس فریب کو ہم اگر برداشت کریں تو کیوں؟ اس کے سامنے سر جھکائیں تو کیوں؟ باکسنگ میں کبھی ہار جھوٹ بھی تولا جاتا ہے۔ لیکن اس جھوٹ کی کوئی حد تو ہونی چاہئے۔ انگلو امریکی بلاک اور پاکستانی حکمرانوں نے مل کر گندھا شروع کر دیا ہے کشمیر کے اصل مسئلے کو بالائے طاق رکھ دیا ہے۔ اقوام متحدہ کی جانچ پڑتال ہی ہم اس بات کو نہ تو برداشت کر سکتے ہیں۔ نہ کبھی کریں گے اور اس پر اصرار کرنے کے حق کو ترک کر سکتے ہیں۔ یہ سب کچھ آج سے بہت پہلے ہمیں کہنا چاہئے تھا۔ تاکہ پاکستان کو بھی اور انگلو امریکی بلاک کو بھی معلوم ہو جاتا۔ کہ کشمیر کا سوال پاکستان یا سکیورٹی کونسل کا کھیل نہیں ہے۔ بلکہ ہندوستان کی خودداری کا سوال ہے۔ ہندوستان کے لوگ اسے اپنی زندگی اور موت کا سوال سمجھتے ہیں۔ اپنے وطنی وقار کا مسئلہ سمجھتے ہیں۔ اور وطنی وقار کو زندہ رکھنے کے لئے ہر قسم کی قربانیاں دینے کو تیار ہیں۔ یہ سب کچھ اگر ہم کہتے تو وہ الجھن شائد پیدا نہ ہوتی جو آج موجود ہے کسی کو ہندوستان کے خلاف ویسا پراپیگنڈا کرنے کی بھی جرأت نہ ہوتی جیسا کہ آج ہو رہا ہے۔ غضب ہے کہ کشمیر ہمارے دیش کا ایک حصہ ہو۔ ہمارے ہزاروں نوجوان اسکے تحفظ کے لئے اپنے جیون کی آہوتی دے چکے ہوں۔ مفلسی کے باوجود ہم دیش کا اربوں روپیہ اس کی بہبودی اور خوشحالی کیلئے خرچ کر چکے ہوں۔ پاکستان نے ظلم اور جبر سے لاکھوں لوگوں کو بے گھر کر کے کشمیر کے ہزاروں مربع میل علاقے پر قبضہ جما رکھا ہو۔ اور اس کے باوجود سکیورٹی کونسل میں ہندوستان اور پاکستان کو ایک ہی سطح پر کھڑا کر دیا جائے۔ ہندوستان کو اتنا ہی مجرم سمجھا جائے جتنا کہ پاکستان کو۔ اور پاکستان کو اتنا ہی حقدار سمجھا جائے جتنا ہندوستان کو۔ یہ سب کچھ اس لئے ہوا۔ کہ اب سے پہلے ہمنے جرأت اور سچائی سے کام لے کر وہ باتیں نہ کہیں جو پنڈت جی اب کہہ رہے ہیں۔ اور چونکہ اب وہ کہہ رہے ہیں۔ اور چونکہ میرا دعوا ہے کہ کشمیر کے معاملہ میں ہمیں اسی ڈھنگ سے بات کرنی چاہئے۔ اس لئے میں کھلے دل سے پنڈت جی کو مبارکباد دیتا ہوں۔ صبح کا بھولا اگر شام کو گھر آجائے تو اسے بھولا نہیں کہتے۔ میں ان سے پرارتھنا کرتا ہوں۔ کہ جو کچھ انہوں نے کہا ہے اس پر سختی سے قائم رہیں۔ اور انہیں وشواس دلاتا ہوں کہ کشمیر کا سوال ۳۵ کروڑ انسانوں کے اس مہان دیش کے لئے زندگی اور موت کا سوال ہے۔ جب کبھی وہ مطالبہ کریں جب کبھی وہ فیصلہ کریں گے کہ کشمیر میں ہوری یا ہونیوالی ناانصافی کا وہ خاتمہ کرنا چاہتے ہیں۔ تو اس دیش کا ہر نوجوان ان کے حکم پر اپنے پرانوں کی آہوتی دینے کو تیار رہیگا۔ آج بھی اس دیش کے لوگ وشواس کرتے ہیں کہ بے عزتی کے ساتھ جیتے رہنے کی بجائے عزت کے ساتھ لڑتے لڑتے مر جانا ہزار درجے بہتر ہے۔

(ر۔ نیئر)

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The Times of India

Thursday, March 15, 1951.

## U.N. COUNCIL DEBATE ON KASHMIR

### Postponement To March 21

LAKE SUCCESS, March 14: The Security Council meeting on the Kashmir question, scheduled for tomorrow, has been postponed until March 21.

No reasons for postponement were given by United Nations officials, but it is understood that consultations are still going on between Britain and America, sponsors of the pending resolution, and other members of the Council.

The decision to postpone the meeting is understood to have been reached last night after informal consultations among the Council members.

The main reason for the postponement was said to be that the reactions of Indian and Pakistan spokesmen to the Anglo-American resolution were still being studied by Council members, and particularly by the sponsors of the resolution. P.T.I.-Reuter.

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روزانہ ملاپ ۱۷ مارچ ۱۹۵۱ء سنیچر وار

# سیکیورٹی کونسل کشمیر کے لیے پھر ایک کمیشن مقرر کریگی

## انگلو امریکن نمائندے کمیشن یا نمائندہ کی تقرری کیلئے ریزولیوشن مرتب کر رہے ہیں

(سکیورٹی کونسل کے باخبر حلقوں کا یقین)

## سر رائو کی تقریر نے کونسل کے نئے ممبروں کو قائل کا یقین دلا دیا

انگلو امریکن کوششوں کے باوجود طرفین کیلئے قابل قبول فارمولہ مرتب نہ ہو سکیگا۔

لیک سکیس ۱۵ مارچ۔ باخبر حلقوں میں یقین کیا جاتا ہے کہ سکیورٹی کونسل میں مسئلہ کشمیر پر بحث کے التوا کی وجہ یہ ہے کہ انگلو امریکن نمائندے ابھی کسی ایسے فارمولہ کی تلاش میں ہیں جو ہند اور پاکستان دونوں کو قابل قبول ہو سکے۔ ان حلقوں کا بیان ہے کہ اگر انگلو امریکن طاقتیں مجوزہ فارمولا میں کوئی تبدیلی کرنا چاہتی ہیں تو ابھی تک اس تبدیلی کو خفیہ رکھا گیا ہے۔ ان حلقوں کا یہ بھی خیال ہے کہ ایسی کوئی ترمیم بھی ممکن نہیں جو دونوں پارٹیوں کو قابل قبول ہو سکے۔

تاہم ان حلقوں میں یقین کیا جاتا ہے کہ ایک امر یقینی ہے کہ اتحاد کی سبھا مسئلہ کشمیر کے حل کے لئے یا ایک کمیشن مقرر کریگی اور یا سر اوون ڈکسن کی طرح ایک نمائندہ۔ اگر انگلو امریکن طاقتوں نے اس مطلب کا ریزولیوشن پیش کیا تو اسے کم از کم سات ممبران کی اکثریت حاصل ہونا یقینی امر ہے۔ کمیشن یا نمائندہ کے اختیارات یا دائرہ عمل کا فیصلہ بحث طاقتوں کے ہاتھ ہوگا اور کہا جاتا ہے کہ انگلو امریکن طاقتیں اس کے متعلق باہم مشورے کر رہی ہیں۔

جہاں تک ہند کا تعلق ہے وہ فارمولہ کے اصولوں کو تسلیم کرنے سے ہی انکاری ہے۔ پاکستان نے فارمولہ کو مشروط طور پر منظور کیا ہے۔ ہند کے رد یہ کے متعلق انگلو امریکن طاقتوں کو یقیناً حیرت اور استعجاب ہوا ہے کیونکہ وہ اگرچہ ہند کی طرف سے مخالفت کی توقع کرتی تھیں لیکن انہیں خواب میں بھی یہ خیال (باقی صفحہ پر)

## نئی کشمیر کمیشن کا تقرر

(صفحہ ۱ سے آگے)

نہ تھا۔ کہ ہند اس قدر سختی سے اس کی مخالفت کریگا کہا جاتا ہے کہ امریکہ نے فارمولا میں ترمیم تجویز کرنے کا کام برطانیہ پر چھوڑ دیا ہے لیکن برطانیہ کو سخت مشکلات سے دوچار ہونا پڑ رہا ہے۔

سکیورٹی کونسل کے نئے ممبران پر شری راؤ کی تقریر کا بہت خوشگوار اثر پڑا ہے۔ ان کا خیال ہے کہ ہند پر کونسل کے ریزولیشنوں کی تکمیل نہ کرنے کا الزام لگانا غلط ہے۔ ہند نے کشمیر کمیشن کی طرف سے جنہ اطمینان دلائے جانے پر بھی اگست ۱۹۴۸ء اور جنوری ۱۹۴۹ء کے ریزولیشن منظور کئے تھے۔ لہٰذا تاریخی کے پردہ میں ان اصولوں کو جو تمام معاہدوں کی بنیاد ہیں نظر انداز نہیں کیا جا سکتا۔

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# کشمیر پر ملتوی

سکیورٹی کونسل اگر کسی مسئلے کو حل کرنے اور کوئی آخری فیصلہ صادر کرنے جا رہی ہو تو شاید اس کی روایات بدل جائیں۔ لیکن سکیورٹی کونسل کو اپنی روایات بدلنے کی اس لئے ضرورت نہیں کہ اینگلو امریکی بلاک نے کشمیر کا مسئلہ ایک بار پھر معرض التوا میں ڈال دیا ہے۔ یہ بلاک امریکی نمائندہ [illegible] کے متعلق بھارت و پاکستان [illegible] کی تجویز لائے۔ یہ تجویز پیش ہوئی تو اس سے پہلے ہندوستانی و پاکستانی مندوبوں کے پاس بھیجا گیا۔ مرتب کرنے سے پہلے لنڈل مواس سے متعلق بات چیت ہوئی۔ پیش ہونے کے بعد ہندوستانی اور پاکستانی نمائندوں نے اپنے اپنے الفاظ میں اس کے متعلق اپنی رائے کا اظہار کر دیا۔ اس بات کو مہینے دن ہو چکے لیکن ابھی امریکی تجویز کی باریکیوں کا غور ابھی ختم نہیں ہوا۔ ابھی انہیں مزید کچھ دنوں کی ضرورت ہے جس میں وہ غور کر سکیں۔ اور غور کرنے کے بعد اپنے ہی نمائندوں کو سکیورٹی کونسل کو بتا سکیں کہ کیا کرنا چاہیئے۔ یہ غور تو نہیں اچھا خاصہ تماشہ ہے کشمیر کے لاکھوں لوگ ہندوستان میں بے گھر ہوئے بیٹھے ہیں۔ زمینوں والے، مکانوں والے، دولت والے، دوکانوں والے۔ آج خانہ بدوش ہیں۔ کشمیر کے ہزاروں مربع میل علاقے پر پاکستان قبضہ کئے ہوئے ہے۔ سکیورٹی کونسل کے یہ ممبر حضرات گذشتہ چار برس سے غور فرما رہے ہیں۔ برطانیہ اور امریکہ کے اپنے دیش پر ایسی افتاد آتی، اپنے دیش کا اتنا بڑا علاقہ دشمن کے قبضہ میں چلا جاتا، اتنے سارے لوگ تباہ اور بے گھر ہوتے تو ہم دیکھتے کہ وہ غور کرنے میں کتنی دیر لگاتے لیکن کشمیر کے لوگوں کی تکلیف سے انہیں کوئی تکلیف نہیں ہے وہ مزے سے غور کر رہے ہیں، اور شاطرانہ چالیں چل رہے ہیں۔ اس غور کا پس منظر دراصل کشمیر یا کشمیریوں کی بہبودی نہیں، حق و انصاف کی رکشا نہیں۔ بلکہ صرف یہ ہے کہ بھارت اور پاکستان دونوں کو اینگلو امریکی بلاک کا ہمنوا کس طرح بنایا جائے ہندوستان اڑیل گھوڑے کی طرح ہے۔ جب غلام تھا تو استعمار کو دانکو انگریز پر بدشان ہو گیا۔ آزاد کرنے سے پہلے انگریز نے اس کے لئے پاکستان کا کھونٹا گاڑ دیا۔ کھونٹے پر انگریز کو بھی بھروسہ نہیں ہے۔ امریکہ کو بھی۔ دونوں اسے زیادہ سے زیادہ مضبوط کرنا چاہتے ہیں۔ لیکن کھونٹا گاڑا گیا تھا گھوڑے کے لئے۔ گھوڑا اگر سرتڑا کر بھاگ جائے تو کھونٹے کی مضبوطی یا نا مضبوطی کا کوئی مطلب نہیں رہتا۔ کھونٹا ہمیشہ کھونٹا ہی رہتا ہے۔ گھوڑا نہیں بن سکتا۔ اس لئے اینگلو امریکی مدبروں کی کوشش یہ ہے کہ کھونٹے کے بل پر گھوڑے کو بس میں کر لیں۔ پاکستان کھونٹا ہے۔ ہندوستان گھوڑا ہے۔ کشمیر کا مسئلہ وہ رسی ہے جس سے گھوڑے کو کھونٹے کے ساتھ باندھ دیا گیا ہے۔ اب اس رسی کو وہ ختم کریں تو کیوں؟ رسی ختم ہو سکتی ہے صرف اس شرط پر کہ گھوڑا آرام سے کھونٹا گاڑنے والوں کے بس میں آ جائے۔ مسئلہ کشمیر کا اصل پس منظر یہ ہے۔ چار برس کے غور کا راز یہ ہے۔ اور اس التوا بعد از التوا کی وجہ یہ ہے۔ ہندوستان نے ان شاطرانہ چالوں کا لفظی جواب دیدیا ہے۔ کل میں نے پنڈت جواہر لال جی نہرو کا اس دلیرانہ جواب کے لئے مبارکباد دی تھی۔ آج میں ان سے پرارتھنا کرنا چاہتا ہوں کہ وہ الفاظ کو عملی جامہ پہنانے کی کوشش کریں۔ اعلان کر دیں کہ سکیورٹی کونسل کو اگر ہندوستان کی اصل شکایت پر غور کرنا ہے۔ تو کرے۔ ہم انتظار کریں گے۔ نہیں کرنا ہے تو اینگلو امریکی تجویز پر غور کرنے کی کوئی ضرورت نہیں۔ ہم اپنی شکایت واپس لئے لیتے ہیں۔ آپ ٹھنڈے ٹھنڈے آرام سے کشمیر کا مسئلہ ہمارا مسئلہ ہے۔ ہم دیکھ لیں گے۔ کہ اسے کس طرح سے حل کرنا ہے۔ پاکستان اگر صلح صفائی سے حل کرے گا۔ تو ہم اس کا خیر مقدم کریں گے۔ ورنہ

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۴۵ نہ کرنا چاہے گا تو ہم نے چوڑیاں نہیں پہن رکھیں۔ کشمیر ہمارے جسم کا حصہ ہے۔ ہمارے خون کا خون۔ گوشت کا گوشت۔ کسی کے جبر و ظلم اور حملے کی وجہ سے نہ تو ہم اسے الگ کر سکتے ہیں۔ نہ کبھی ہونے دیں گے۔ مجھے یقین ہے کہ اس اعلان کا اثر نہ صرف سکیورٹی کونسل پر ہوگا۔ بلکہ پاکستان پر بھی۔

(رہبر)

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THE HINDUSTAN TIMES, Monday, March 19, 1951.

# Kashmiris Cry Down Anglo-U.S. Plan

## STATE RESOUNDS WITH PROTEST SLOGANS

SRINAGAR, March 18.

**SRINAGAR city resounded with loud shouts of "Down with Anglo-U.S. resolution" when large processions organized by the National Conference were taken out in the city today to protest against the Anglo-U.S. resolution on Kashmir submitted to the Security Council.**

Parading the streets of Srinagar the processionists carried various types of placards decrying the proposed entry of foreign troops in Kashmir and demanding Pakistan to be declared aggressor.

"We shall proceed with the task of convening the Constituent Assembly and thus exercise our sovereign right of deciding our future," said the National Conference workers asking the people to "gird up their loins to face the new situation created by interested Powers."

**REFERENDUM NOT NEEDED**

Bakshi Ghulam Mohammed, Kashmir's Deputy Premier, declared here on Friday the Kashmir people, including Muslims, had expressed determination to accede to India as far back as 1947 when they repulsed "organized and unorganized hordes let loose by Pakistan against the State."

If the Kashmir Muslims had a desire to accede to Pakistan they could have joined the raiders then, but they did not, and, therefore, the question of holding a referendum now did not arise at all, he said.

Bakshi Ghulam Mohammed was addressing over 500 National Conference workers at Mujahid Manzil at a meeting climaxing smaller meetings held throughout the Valley during the past several days to protest against the Anglo-U.S. resolution.

Criticizing the Security Council's attitude, he said its behaviour during the last three years had confirmed his belief that no justice and fairplay could be expected from it.

Accession was a domestic issue and they would go ahead with the Constituent Assembly plan whether it was acceptable to the Anglo-U.S. bloc or not.

**ARBITRATION OPPOSED**

Mirza Afzal Beg Revenue Minister, addressing a meeting earlier, said Kashmir was the first State in India to canvass for the principle that the people and not the rulers should decide the accession issue. If the National Conference were now to retract on it or postponed further its application, it would be guilty of betrayal of the people.

Mirza Beg also strongly opposed the proposal to submit the dispute to arbitration. "We cannot allow the fate of millions to be decided by one man," he said.

Kashmiris were proud and grateful that Mr Nehru, true to his democratic ideals, had given Kashmir a special place in India's Constitution and agreed to accession only in three subjects.

"If we have acceded to India it is because we know that a democratic programme will find fulfilment only there and nowhere else."—U.P.I. and P.T.I.

See also back page

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# REVISED RESOLUTION C... KASHMIR

## Changes In Powers Of U.N. Representative

## REPORT TO U.N. COUNCIL IN THREE MONTHS

LAKE SUCCESS, March 21.

**BRITAIN and the U.S.A. today submitted to the Security Coun... a revised version of their joint resolution on the Kashmi... question.**

One important change was the deletion of the provision in th... previous draft that the new U.N. Representative should be guide... by the principles of demilitarization put forward by Sir Owen Dixon, former U.N. Mediator.

The new draft would instruct the U.N. Representative to effect demilitarization on the basis of resolutions passed by the U.N. Commission in August 1948, and January 1949.

### TEXT OF RESOLUTION

The following is the text of the new resolution:, which will be debated by the Security Council at 8 p.m. G.M.T. today:

Having received and noted the report of Sir Owen Dixon, the U.N. Representative for India and Pakistan, on his mission initiated by the Security Council resolution of March 14, 1950,

observing that the Governments of India and Pakistan have accepted the provisions of the U.N. Commission for India and Pakistan resolutions of August 13, 1948, and January 5, 1949, and have reaffirmed their desire that the future of the State of Jammu and Kashmir shall be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of U.N.,

observing that on October 27, 1950, the General Council of the "All-Jammu and Kash... National Co...ence" adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the "future shape and affiliations of the State of Jammu and Kashmir."

observing further from statements of responsible authorities that action is proposed to convene such a Constituent Assembly and that the area from which such a Constituent Assembly would be

### REVISED RESOLUTION ON KASHMIR

**Continued from page 1 col 2**

elected is only a part of the whole territory of Jammu and Kashmir;

reminding the Governments and authorities concerned of the principle embodied in the Security Council resolutions of April 21, 1948, June 3, 1948, and March 14, 1950, and the U.N. Commission for India and Pakistan resolutions of August 13, 1948, and January 5, 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed in the democratic method of a free and impartial plebiscite conducted under the auspices of U.N.

### LATE NEWS

LAKE SUCCESS, March 21.—The Chief British delegate, Sir Gladwyn Jebb, told the Security Council this evening when the discussion on Kashmir was resumed that the most effective way of settling the three-year-old dispute between India and Pakistan over Kashmir would be by U.N. arbitration.

Sir Gladwyn said in the past various representatives of the Security Council had acted as mediators in the dispute but they had no power to do anything but persuade the parties to negotiate an agreement, he added. "His Majesty's Government feel very strongly that the time is now past when these disagreements can be dealt with in this way."
—P.T.I.-Reuter.

## U.N. ATTITUDE ON KA... DEPLORED

THE HINDUSTAN TIMES

### Keskar D... India's Foreign P...

BOMBAY, March 21.—Dr B. V. Keskar said here today the U.N., by refusing "to take a decision on a definite question placed before it—Pakistan had committed aggression in Kashmir—has behaved in a manner which will not raise its prestige in the eyes of the world."

Dr Keskar, who was addressing the Progressive Group on "India's foreign policy," asserted the U.N.'s inability to come to a decision in the matter of aggression in Kashmir and Palestine was responsible for the aggression in Korea. The world organization, he pointed out, lost its moral influence and jeopardized its future by refusing to take a decision on Kashmir.

"We shall not, however, compromise our principles and accept a solution of the Kashmir issue, which is not also acceptable to the people of the State," he declared.

Characterizing the Nehru-Liaquat Pact as "the greatest stroke of genius" on the part of Mr Nehru, Dr Keskar said before it was signed, the tension between the two countries was so great that war had seemed almost imminent. While the Pact had not yielded all that was expected from it, the fact yet remained it had succeeded "beyond our hopes because, for the first time, it has brought about a peaceful atmosphere in Indo-Pakistan relations."

Dr Keskar added the question of Indo-Pakistan relations was not one of foreign policy, "for we cannot say whether the separation of the two countries is not merely technical." The peoples of India and Pakistan were so closely inter-linked in economic and even cultural matters that the two countries could not get along without one another.

### FOREIGN POSSESSIONS

Referring to foreign possessions in India, Dr Keskar said: "We feel foreign possessions have to be integrated with India, because these possessions had been conquered by force and because their inhabitants are closely allied to us, culturally, socially and economically. At the same time, however, we want the question of these possessions to be solved peacefully, and I have no doubt it would be solved to our satisfaction."

Stoutly defending India's foreign policy on Korea, Dr Keskar tried to reconcile the apparent contradiction which many people had mistakenly seen in India's stand on the naming of the aggressor and on the crossing of the 38th Parallel. It was essential for India, he pointed out, to support the U.N. in condemning aggression in Korea, for India was a party to the U.N. Charter, calling for the settlement of disputes and conflicts between nations by peaceful means. She, however, knew China had developed an interest in the Korean war and was afraid the crossing of the 38th Parallel would constitute a threat to her security. India's vote against the crossing of the 38th Parallel was, therefore, guided by a sincere desire on her part to avoid the widening of the area of conflict and the precipitation of a world war.

Replying to the Socialist criticism that India was not neutral in international affairs, Dr Keskar pointed out India's policy had never aimed at neutrality. It had rather aimed at supporting a cause which was just, and India had never made any secret of the fact she would support a policy which aimed at the preservation and maintenance of world peace. This, however, did not mean India would align herself with any particular bloc.—U.P.I.

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the auspices of U.N.;

## CONSTITUENT ASSEMBLY

affirming that the convening of a Constituent Assembly as recommended by the General Council of the "All-Jammu and Kashmir National Conference" and any action that Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State in accordance with the above principle;

declaring its belief that it is the duty of the Security Council in carrying out its primary responsibility for the maintenance of international peace and security to aid the parties to reach an amicable solution of the Kashmir dispute and that a prompt settlement of this dispute is of vital importance to the maintenance of international peace and security;

observing from Sir Owen Dixon's report that the main points of difference preventing agreement between the parties were:

(a) The procedure for and the extension of demilitarization of the State preparatory to the holding of a plebiscite,

(b) The degree of control over the exercise of the functions of Government in the State necessary to ensure a free and fair plebiscite,

The Security Council:

(1) Accepts, in compliance with this request, Sir Owen Dixon's resignation and expresses its gratitude to Sir Owen for the great ability and devotion with which he carried out his mission;

(2) Decides to appoint a U.N Representative for India and Pakistan in succession to Sir Owen Dixon:

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(6) Calls upon the parties, in the event of their discussions with the U.N. Representative failing, in his opinion, to result in full agreement, to accept arbitration upon all outstanding points of difference reported by the U.N Representative in accordance with paragraph (5) above; such arbitration to be carried out by an arbitrator, or a panel of arbitrators, to be appointed by the President of the International Court of Justice after consultation with the parties;

(7) Decides that the military observer group shall continue to supervise the cease-fire in the State;

(8) Requests the Governments of India and Pakistan to ensure that their agreement regarding the cease-fire shall continue to be faithfully observed and calls upon them to take all possible measures to ensure the creation and maintenance of an atmosphere favourable to the promotion of further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement;

(9) Requests the Secretary-General to provide the U.N. Representative for India and Pakistan with such services and facilities as may be necessary in carrying out the terms of this resolution.—P.T.I.-Reuter.

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The Times of India

Thursday, March 22, 1951

## THE OLD WOLF ?

Is this the old wolf in new sheep's clothing? That will be the initial reaction to the revised Anglo-American resolution on Kashmir. More definite conclusions can only emerge after the delegates of the two sponsor nations make their individual and collective minds clearer. Superficially the new formula suggests a more realistic approach to the problem, though inevitably it suffers from the handicaps of a compromise solution designed to please both parties. It is dangerous for countries no less than for individuals to be all things to all men. India will regret particularly that the revised draft should retain a reference to arbitration which in terms of the previous U. N. resolutions, to which the new Anglo-American proposal somewhat belatedly returns, is unnecessary. The preamble remains for the most part untouched, reiterating as it does a free and impartial plebiscite and the desire expressed by India and Pakistan for this procedure. But the operative part of the new draft contains no reference to such matters as the plebiscite, boundary adjustments and administrative supervision. Here is some pretty political skating on thin ice.

The main duty of the U. N. representative will now be to bring about the demilitarisation of Kashmir. There is much to be said for this change in approach since demilitarisation is a condition precedent to a free and impartial plebiscite, and once demilitarisation is effected, the question of holding a plebiscite is seen in its proper proportions and framework. Another change in the operative part of the resolution is the proviso that the U.N. representative will, after consultation with the Governments of India and Pakistan, "effect the demilitarisa-"tion of the State on the basis "of the U.N. Commission for "India and Pakistan's resolu-"tions of August 13, 1948 and "January 5, 1949." This is important and significant. It will be recalled that the basis suggested in the original resolution was Sir Owen Dixon's proposal which India rightly rejected. Sir Owen's suggestion went beyond the Commission's resolutions and called for the complete withdrawal of the Indian army. New Delhi was quick to seize on this contradiction since the Commission's own plan clearly visualised that Pakistan was to withdraw her army first and that only thereafter was India [illegible] solely to reduce her tr[illegible] tate.

پشاور ۲۲ مارچ۔ معلوم ہوا ہے کہ آج کل قبائلیوں میں اس امر کا پراپیگنڈا کیا جا رہا ہے کہ وہ کشمیر پر پاکستان کے قبضہ کے لئے ساتھ دیں۔ کامیابی کی صورت میں پختونستان کی مطالبہ منظور کر لیا جائے گا قبائلی اس وعدہ پر اعتبار کرنے کے لئے تیار نہیں ہیں ان کا کہنا ہے کہ کشمیر پر حملہ کے وقت ہم سے جو وعدے کئے گئے تھے پاکستان نے انہیں پورا نہیں کیا۔ اس لئے اب ہم نئے وعدہ پر اعتبار نہیں کر سکتے

## [illegible] اور تبت کے تنازعہ

(تبتی مشن کا

### مشن کے ممبران نئی دہ[illegible]
### پیکن کانفرنس کامیاب

کالمپانگ ۲۲ مارچ۔ معلوم ہوا [illegible] اور تبت کے جھگڑے کا پرامن تصفیہ کرنے [illegible] ایک نئی تجاویز مرتب کی جا چکی ہیں۔ اور عنقریب [illegible] وفد تبتی مشن اس کے متعلق تبادلہ خیالات کریں گے۔ کالمپانگ سے پیکن روانہ ہو چکے ہیں اور [illegible] نئی تجویز کے سلسلے میں اپنی ہدایات لے کر [illegible] نئے مشن کے دو ممبران نئی دہلی جا رہے ہیں جو چین کے سفیر سے نئی تجویز کے متعلق ابتدائی [illegible]

## [illegible] کی مورتی تھاپنا
## [illegible] بھی تقریب میں حصہ لینگے

[illegible] ۲۲ مارچ۔ معلوم ہوا ہے کہ مئی ۱۹۵۱ء [illegible] ہندی میں تھوننگ کی مورتی تھاپنا [illegible] مان راجندر پرشاد بھی حصہ لینگے [illegible] نے بتایا کہ دوسن فوڈ پروڈکشن [illegible] تھاپنا کی تقریب میں حصہ لینے [illegible] ول پر ناراض شدہ خوراک [illegible] فیصلہ کیا ہے۔

[illegible] ماسپھرہ سے جو خبریں آئی ہیں ان سے [illegible] ڈیزیز نل کسان نیتی کے صدر مسٹر [illegible] بھی گرفتار کر لیے گئے ہیں۔

(دُپٹی کمشنر لاہور رجائے حادثہ کی

## [illegible] پنجاب) میں ایک سکول کا چھجہ گر جانے سے لڑکیا
## [illegible] نازک۔ شہر میں تمام کاروبار بند ہو

۲۲ مارچ آمدہ اطلاع مظہر ہے کہ کل صبح نو بجے قصور میں بارہ کمسن بچیوں [illegible] یہ حادثہ بچیوں کے ایک پرائمری سکول کی تیسری منزل کے چھجے کے گر جانے سے [illegible] گئی تھیں۔ بیان کیا جاتا ہے کہ اس سکول کے عقب میں کسی کا انتقال ہو گیا [illegible] ئی تھی لاش کو دیکھنے کے لئے [illegible] سکول کی ۶۰ فٹ اونچی عمارت کی [illegible] چڑھ گئیں اور چھجہ پر سے لاش کو [illegible] اس بوجھ کا متحمل نہ ہو سکا اور گر گیا [illegible] ان میں سے نو خواتین ہیں [illegible] ہو گئیں نو شدید طور پر زخمی ہوئیں [illegible] میں ڈال کر لاہور لایا گیا لیکن ان [illegible] ستہ میں ہی جاں بحق ہو گئیں۔ زخمی [illegible] پہنچتے ہی دم توڑ دیا۔ باقی [illegible] ستے۔ قصور میں آج تمام کاروبار [illegible] ہ ہمدردی ہڑتال کی۔

(الہ آباد ہائی

## [illegible] توہین عدالت کی صورت

الہ آباد ۲۲ مارچ ہائی کورٹ کے جسٹ [illegible] توہین عدالت کا مقدمہ چلایا گیا ہے۔ سرکا [illegible] یہ رولنگ اس درخواست کی بنا پر [illegible] اور ڈپٹی کلکٹر کو نلائس دیا گیا تھا کہ وہ [illegible] وکیل اُن کی طرف سے پیش ہوا۔ جسٹ [illegible] لئے اپنے وکیل کو پیش ہونے کے لئے نہیں کہہ

## [illegible] امریکہ نے ہوائی اڈے بنانے شروع

(ملا

[illegible] کو رشوت [illegible]

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# مغربی طاقتیں کشمیر کا فیصلہ اپنی مرضی کے مطابق کرانا چاہتی ہیں

(لنڈن کے ہندوستانی حلقوں کی رائے)

## کشمیر کی فوجی اہمیت پیش نظر پاکستان کی پیٹھ ٹھونکی جا رہی ہے

### ہندوستان نے اینگلو امریکی ریزولیوشن کو منظور نہیں کیا ہے

لنڈن ۲۲ مارچ کشمیر کے متعلق اینگلو امریکن ریزولیوشن میں جو ترمیم کی گئی ہے اسکے متعلق لنڈن کے ہندوستانی حلقوں کا خیال ہے کہ کشمیر کے مسئلہ کے حل کے لئے کوئی قدم نہیں ہے اور نہ ہی اس سے [illegible] کہ جو مجھوتہ کی راہ میں مشکل کا باعث بنی ہوئی ہیں۔ حقیقت یہ ہے کہ مغربی طاقتیں یہ نہیں [illegible] بغیر ہندوستان اور پاکستان کشمیر کے مسئلہ کو خود حل کر سکیں۔ مغربی طاقتیں کشمیر کو فوجی [illegible] دیتی ہے اسلئے ان کا مفاد اس بات میں ہے کہ کشمیر کا فیصلہ ان کی مرضی کے مطابق ہو۔ مغربی طاقتیں کشمیر کے معاملہ میں پاکستان کی مدد اس لئے کر رہی ہیں کہ پاکستان کی مدد اس لئے کر رہی ہیں کہ پاکستان ہی کشمیر میں [illegible] فوجی سہولتیں تہم پہنچا سکتا ہے اور ان کی مرضی کے مطابق [illegible] چل سکتا ہے۔ ہندوستان کی غیر جانبداری کی پالیسی کو [illegible] مغربی طاقتیں اپنے لئے زبردست رکاوٹ سمجھتی ہیں اسی وجہ [illegible] ہے کہ وہ کشمیر کا فیصلہ اپنی مرضی کے مطابق کرانا چاہتی [illegible] ہیں باخبر حلقوں کا کہنا ہے کہ ہندوستان ان کی [illegible] طور پر ریزولیشن پر غور کرے گا۔ لیکن اسے [illegible] نہیں کرے گا۔ حالانکہ ہندوستان کو اس بات کا [illegible] طرح پتہ ہے کہ کشمیر کی کونسل میں اس کا [illegible] امریکی کانگرس میں ہندوستان کو گندے [illegible] مخالفت میں اضافہ کا موجب [illegible]

## گلگت میں امریکی اڈے

راولپنڈی ۲۲ پاکستان اور امریکہ میں جو خفیہ معاہدہ ہوا ہے اس کی رو سے امریکہ نے گلگت میں ہوائی اڈے بنانے کا کام شروع کر دیا ہے۔ امریکی انجنیئر گلگت پہنچ گئے ہیں معلوم ہوا ہے کہ امریکہ اور برطانیہ کی فوجیں گلگت میں رکھی جائیں گی۔ ان فوجوں کا خرچ ہر دو نو ملک برداشت کریں گے۔

## قبائلی میں بھرتی

پشاور ۲۲ کشمیر میں جہاد اور اسلام خطرہ میں کا نعرہ لگا کر قبائلیوں کو فوج میں بھرتی کیا جا رہا ہے۔ بھرتی کے بعد قبائلیوں کو آزاد کشمیر میں بھیج دیا جاتا ہے گورنمنٹ کی طرف سے انہیں دو دو ماہ کی تنخواہ پیشگی دی جاتی ہے تاکہ روپیہ کے لالچ سے زیادہ سے زیادہ قبائلی بھیجے جا سکیں۔

INDUSTAN TIMES, Friday, March 23, 1951.

## JAMMU REFUGEE CAMP TO CLOSE DOWN

JAMMU, March 22.—The Nagrota Refugee Camp of Jammu, one of the biggest camps for displaced persons being run by the Government of India, will be closed by the end of this month.

The Camp, which came into existence nearly three years ago, once housed 32,000 displaced persons mostly from the Pakistan area of Kashmir. Nearly 25,000 persons from Poonch were flown to the Camp when the town was encircled by the enemy

Under the supervision of the Joint Rehabilitation Board set up by the Governments of India and Kashmir, rehabilitation of the inmates of the Camp started a year ago. The last batch is being dispatched this week.—P.T.I.

## ST. LAURENT EAGER TO VISIT INDIA

OTTAWA, March 22.—Mr Louis Laurent is eager to visit India and Pak[illegible]tan, according to authoritative quarte[illegible] here, but feels he cannot leave Otta[illegible]

## 13 GIRLS KILLED IN WALL COLLAPSE

MILAN, March 22.—Thirteen sch[illegible] girls were killed here yesterday by t[illegible] collapse of a convent wall where th[illegible] were sheltering from violent gusts wind. Eleven other girls were badly i[illegible] jured.

Seven of the girls, from Institute the Sisters of Jesus on the outskirts Milan, were killed outright under to of stone. Six others died in hospit[illegible] soon afterwards.—P.T.I.-Reuter.

their children and this cannot but wor[illegible] British women. They are uniting in t[illegible] struggle for a better life for their chil[illegible] ren, for equality with men. They [illegible] calling for the ending of the rearm[illegible] ment of West Germany and Japan, a[illegible] the ending of aggression in Korea."

The women freely answered questio[illegible] at a Press conference. When a corr[illegible] pondent asked whether it was t[illegible] there were 15 million people in Russi[illegible] concentration camps, research scient[illegible] Nina Javakhashvili replied: "I find t[illegible] lie unnecessary to answer." There wa[illegible] no concentration camps, she said, [illegible] criminals were sent to labour camps [illegible] learn how to be useful citizens.

With the Soviet visitors were wom[illegible] delegates from Rumania, Hungary a[illegible] France.—P.T.I.-Reuter.

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# NEW APPROACH TO KASH ISSUE CALLED

## India Likely To Down Resolut

## ADVERSE REAC IN NEW DEL

**THAT the new Anglo-U.S. resolution has not br of the Kashmir problem any nearer than it is the first impression in New Delhi of the resolu Sir Gladwyn Jebb's speech in the Security Coun**

An altogether fresh approach, observers fe resolve the dispute. It is presumed the Indian Success would express its strongest opposition a suggestion for arbitration. It is pointed out from India had expressed her opposition to such a co

Official reaction to the resolution is not forthcoming and is not expected to be made known for a few days till the Government of India have completed examination of the text.

Pointing out the need for a new approach, observers ask what useful purpose could be achieved by sending a third representative of the U.N. when the U.N. Commission and latterly Sir Owen Dixon had covered the ground so exhaustively. The reference in the resolution to the Commission's resolution of August 13, 1948, and of January 5, 1949, is noted, but even here it is pointed out Pakistan had not accepted the interpretation of the resolutions and the assurances given to India by the Commission itself.

For example, it is explained, the Commission had accepted the right and obligation on the part of India to maintain, after demilitarization, such forces as were considered necessary to protect the State against external aggression and internal disorder. Past discussion with Pakistan, and the Security Council's approach latterly, would appear to go against the declared intention of the Commission that the U.N. did not intend to usurp the functions of the State of Jammu and Kashmir.

With such diversity of views, observers in New Delhi point out, unless a new approach is made to solve the problem, the latest resolution is not expected to lead to any fruitful results.

Sir Gladwyn, they further point out, had correctly interpreted India's stand when he said India's assumption seemed to be "the accession had been settled and that no more remains except to give the inhabitants of the State an opportunity to decide whether they should remain in India or not." It is, however, noted the U.K. delegate did not subscribe to this view. The position, however, is what is in dispute is not Kashmir's present accession but its future which is to be the subject matter of a plebiscite. As late as March-April, 1948, Mr Gopalaswamy Ayyangar, who led the Indian delegation to the U.N., had stressed this point and the Security Council had accepted the fact of the accession of the State to India. It was on this understanding the Council had been dealing with India. If what Sir Gladwyn had said happens to be the latest view of his Government and that of the Security Council, that would be a reversal of the whole problem.—P.T.I.

# INSIDE PAKISTAN

By "PEREGRINUS"

One of the amazing features of the recent Pakistan conspiracy which led to the arrest of the Chief of the General Staff and an opposition newspaper editor is the manner in which the British Press had been seeking to oblige Pakistan, in spite of herself and in utter disregard of facts, on the Kashmir issue. Almost all the more important British papers have been taking the line that the conspiracy was the result of the moderate line which the present Prime Minister of Pakistan was taking over Kashmir and what the conspirators wanted was to launch a direct attack on the State after seizing power in Pakistan. Because of the danger inherent in this situation, the Security Council was asked to take a quick decision on the Kashmir dispute, presumably favouring Pakistan.

* * *

THE *Daily Telegraph* after exonerating Mr Nehru of any "Machiavellian design against the stability of Pakistan"—it must be remembered that the Defence Secretary of the Pakistan Government had clearly stated that India had nothing to do with this business—goes on to argue that "this intransigence over Kashmir is the fuel which has continually fed the flames of this discontent." Even *The Times* has fallen to this somewhat crude attempt to exploit the conspiracy to do India in. After pointing out that "the military leaders of the plot have resented the careful statesmanship of Liaquat Ali Khan over Kashmir"—on what evidence it does not say — the paper proceeds to state that "both sides (the soldiers and the Communist intellectuals) probably felt that since Pakistan could expect no help from the western democracies in her quarrel with India over Kashmir, she would be wise to rely on her own strength—and possibly to seek encouragement from Moscow." After shedding a few hypocritical tears over this "sad story," the paper declares: "The danger of violent action has been made plain; and it will not be altogether removed until the people of Pakistan are convinced that their fellow Muslims in Kashmir are free to choose their own future." And then comes the conclusion: "The heavy responsibility that rests on the Security Council has been underlined."

* * * *

THE absurdity of building a case against India over 'probabilities' and 'possibilities,' did not count with *The Times*. Nor did it care to consider that the danger of violent action became plain not now but when trans-frontier marauders were let loose on Kashmir and when Pakistan sent her regulars into the State stealthily while the Security Council was still considering the issue. But this anti-Indian plot of the British Press has misfired even more ingloriously than the anti-Liaquat plot of the Pakistani conspirators. The laconic terms in which the Pakistan Prime Minister's announcement of March 9 was couched set all this speculation afoot. And now comes his revelation that the aim of the conspiracy was to establish a military dictatorship "patterned on the Communist model but under military domination." For this purpose, according to him, economic and constitution-making missions were also to be invited from "a certain foreign country," which he did not name. Not a word about Kashmir. Now that the whole India campaign has been shown up as based her tissue of lies, will the British Press have the decency not merely to call a halt to the campaign but to make amends for the foul libels uttered against [illegible]

* * *

who was arrested. While the former joined the Indian army as a *sowar* on a salary of Rs 12 per month in 1914, the latter received the King's Commission in 1934. The confusion reminds one of the old story of a Lieutenant-Governor of Bengal who described Mr Abdul Halim Ghaznavi as the "wrong Ghaznavi," in order to differentiate him from his elder brother, a staunch loyalist, the late Sir A. K. Ghaznavi. The fact that the former Chief of the General Staff is related to Khan Abdul Ghaffar Khan has also led to some newspapers wrongly representing him as sympathetic towards the Pathanistan movement. The truth is that Akbar Khan never wavered in his loyalty to the British—which makes the present *contretemps* all the more intriguing.

* * *

IN his last Press conference at New Delhi, Mr Nehru said that any attack on Kashmir would be treated as an attack on India. If that was the Indian view, it is but right that both the Pakistan Government and the people should know what the consequences of resort to force in Kashmir would be. In other words, if Pakistan attacks Kashmir this time it will not be a limited war confined to Kashmir, but war with India as a whole. It is good that those who are calling for a *jehad* in Kashmir should know where this *jehad* will lead them to. Oddly enough, the statement appears to have passed practically unnoticed in Pakistan. Or was it a case of burying one's head in the sand?

* * *

UNCONFIRMED reports from Jammu, which I am giving for what they are worth, speak of movements of Pakistan troops along the borders of the Kashmir and Jammu State and the Cease-Fire line for some time past. Without in any way connecting the one with the other, I may add that in the Pakistan Parliament, Mr Liaquat Ali Khan said on Wednesday that his Government were constantly taking steps to strengthen Pakistan's defences. He did not, however, give any details

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design against the stability of [illegible]

TYPICAL of the extent to which this malicious anti-Indian campaign could go is the latest despatch of the correspondent of *The Times* from Rawalpindi. After speaking to several army and civilian Pakistani officers in East Bengal and the North-West Frontier Province, this correspondent says that "a feeling" "seems" to be spreading amongst them that "Pakistan has been let down by her friends" and they have even expressed the view that "may be Pakistan will have to see whether she will fare better with other friends." And so the implicit conclusion that Pakistan's friends must get Kashmir for her; otherwise, she may walk into the other camp. That these are tactics bordering on blackmail does not seem to trouble these friends of Pakistan; or is it that they themselves are inventing this type of propaganda in their anti-Indian ardour? That India may have feelings in the matter and she may refuse to be pushed hither and thither by such tactics does seem to figure in their calculations. Let them not take India too much for granted. Or do they want India too to stage a Communist plot to give them the creeps?

* * * *

INCIDENTALLY, it is interesting to note that in his latest statement on the alleged conspiracy Mr Liaquat Ali Khan says: "The House is aware that very great indignation has been aroused in the country against the conspirators and the common opinion among the general public and the army is that the conspirators should have been shot without a trial." Pakistan's aspirations to be treated as a Middle Eastern country seem fairly on their way towards fulfilment!

* * * *

ONE of the lighter aspects of the Pakistan plot is the confusion which it created in India between Major-General Mohammad Akbar Khan, G.O.C. of Sind area after partition who retired some months ago, and Major-General Akbar Khan, Chief of the Pakistan General Staff,

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# RAU STUDYING SPEECHES

## Debate Raised To A New Pitch

LAKE SUCCESS, March 22.—Mr B. N. Rau said today he was studying the speeches made by Sir Gladwyn Jebb and Mr Ernest Gross during the Kashmir debate, with a view to replying to them at the next meeting of the Security Council.

Owing to a touch of influenza, the Indian delegate was unable to attend yesterday's meeting of the Security Council. He said he expected to be fully recovered within the next few days.

The British and U.S. delegates dealt with more or less identical points in regard to arbitration, the Kashmir Constituent Assembly and the present status of Kashmir in relation to India, and U.N. interest in its future.

The tenor of their speeches, while diplomatically phrased, was regarded by observers as raising the Kashmir debate to a new pitch of forthright advocacy of what the British and the Americans now feel ought and ought not to be done by India.

### U.K. DELEGATE'S SPEECH

In the Security Council yesterday, Sir Gladwyn had said: "The dispute is not one which time will help to solve. We hope if the Council expresses its conviction on the value of arbitration, India will be able to waive the objections expressed by Mr Rau."

Sir Gladwyn said he had been impressed in the speeches of Indian and Pakistan representatives with the fact that they were agreed on two points:

(1) The future of Kashmir should be decided by a fair and impartial plebiscite conducted under U.N. auspices.

(2) The plebiscite should be held according to the specific proposals in two previous U.N. resolutions.

Sir Gladwyn said: "The picture which

**Continued on back page col. 3**

# JEBB'S SPEECH IN U.N. COUNCIL

**Continued from page 1 col. 3**

their statements built in my mind was one of a clearly defined objective which both parties are equally anxious to reach, and certain obstacles in the path leading to this objective, the best way of surmounting which is still in dispute between them.

"I am sure the Council will agree with me we must do our utmost to concentrate the attention of the parties on the objective and to persuade them of the futility of allowing these obstacles to prevent them from attaining it."

### CRUX OF THE PROBLEM

The British delegate explained that as the result of discussions with the two parties, it had been seen the Indian Government were unable to accept arbitration in any form, whereas the Pakistan Government was completely ready to accept arbitration on any points of disagreement.

Sir Gladwyn added: "That, I think, is the crux of this matter. Members will see that in the modified resolution tabled, we have retained provision for arbitration.

"We have not done this without a good deal of anxious thought or without weighing carefully all the arguments which were advanced on behalf of the Indian Government.

"We have considered whether arbitration would threaten India's security. We have considered whether there is any way in which arbitration on the interpretation and application of the agreements, of which both the Indian and Pakistan Governments have repeatedly affirmed their acceptance, would in any way prejudice the rights or interfere with the proper responsibilities of the Indian Government.

"I must say that we—I believe I can associate my U.S. colleague in this—have been unable to see how arbitration in the form which we have proposed could in any way act to the detriment of the Indian Government's rights and responsibilities.

"Indeed, in a matter such as this where an international agreement exists between two Governments, it seems to me to be the only right course to accept arbitration on differences concerning interpretation and application."

Sir Gladwyn thought the proposed panel of arbitrators would guarantee to both parties a completely fair and objective determination of their disagreements arising out of the Council's earlier resolutions. He hoped other members of the Council would support the arbitration plan which, he said, was the "obvious and essential step" for India and Pakistan to take.

### RESOLUTION ANALYSED

Analysing the new resolution, Sir Gladwyn pointed out in deference to the parties, the original proposal on demilitarization of Kashmir made by Sir Owen Dixon had been dropped. The proposal to use outside military forces to keep order in Kashmir during a plebiscite had also been omitted, though, he said, the British Government still thought it was a good idea and should be kept in mind if difficulties arose in the future.

On the question of the proposed Kashmir Constituent Assembly, Sir Gladwyn appealed to Mr B. N. Rau to make it clear "beyond all doubt" that his Government would do everything in their power to prevent action which would damage the work of the Security Council.

He said some of the Indian delegates' remarks in the Council seemed to assume that Kashmir's accession had already been settled and that it only remained for the Kashmir people to confirm their union with India.

"The assumption made by Mr Rau that the accession has been settled and that no more remains except to give the inhabitants of the State an opportunity to decide whether they should remain in India or not, in the view of my Government, cuts right across the very principles on which the Council and the two parties also have been striving to effect a settlement.

"Members of the Council will [illegible] Indian colleague's statement which was

phasis that the Government of India cannot make any further 'concessions.' This is not a matter of making concessions but of giving effect to a commitment.

"The responsibility of the Governments of India and Pakistan, under their international commitment in accepting these two resolutions, is to co-operate in settling the question of accession to India or Pakistan by a free and impartial plebiscite under U.N. auspices.

"The U.N. Commission's resolutions provide merely a framework which must be filled in; these resolutions do not set forth a complete plan for accomplishing demilitarization and a plebiscite.

"The parties will have to develop and consider with the U.N. representative the details which fill out the framework in implementing their commitments—details over which the Governments of India and Pakistan have disagreed for more than two years.

"Neither party can stop short, merely reaffirm the two resolutions and say that it cannot make further concessions, thereby blocking further progress.

### COMMITMENT ON ACCESSION

"The parties, moreover, are committed to permit the people of Kashmir to decide the question of accession of the State to India or Pakistan.

"That commitment is not as the representative of India has said 'to give the people the right to decide whether they would remain in India or not.'

"To phrase the plebiscite question in this latter formulation would be to disregard the binding agreement accepted by both parties.

"The Security Council has from the beginning held the issue of accession is one which is to be settled by a fair and impartial plebiscite under U.N. auspices, and both parties, in the language of their commitments, have accepted this view. I am confident Mr Rau did not intend to suggest a contrary interpretation.

"I emphasize this now to make clear the position of the U.S. Government in this vital matter. It is a position which rests upon the belief that the most fruitful approach which the Security Council can take at this stage is to provide the parties with machinery for its solution."

Recording other changes in the amended resolution, Mr Gross said resulting from the thesis that the 1948 and 1949 resolutions should be set forth clearly as the basis upon which the U.N. representative was to effect demilitarization, the "helpful guide posts" given him in paragraph four of the original Anglo-American proposal had been deleted in view of the objections of both parties.

Coming to the provision for arbitration, Mr Gross said it had now been changed to declare arbitration should be accepted upon those points as they were reported to the Council by the U.N. representative.

Furthermore, the arbitration proposal now provided that the arbitrator or a panel of arbitrators was to be appointed by the President of the International Court of Justice after consultation with the parties, instead of by the Court as a whole. That would serve to expedite the arbitration process, if resort to it should become necessary he said.

"The U.S. Government regards this arbitration proposal as one of the key elements of this resolution. The representative of India has not rejected the concept of arbitration but has said under the guise of arbitration issues cannot be reopened—those which have already been closed by the resolutions of August, 1948, and January, 1949, and by the assurances given to India by the U.N. Commission.

"I trust that, if it becomes necessary to give effect to this arbitration provision, the Government of India will find [illegible] provision of this resolution."

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**Continued on back page col. 3**

one of a clearly defined objective which Indian colleague's statement which was not intended and I am sure we shall be most reluctant to interpret his statement in a sense which would suggest that the Indian Government are in any way abandoning the pledges which they have always so categorically affirmed.

"But the combination of the proposal for establishing a constituent assembly with the suggestion that all that is now required is to give the people of Kashmir an opportunity to decide whether they should remain in India or not will inevitably raise apprehensions in the minds of Council members that the Indian Government contemplate a method of ascertaining the wishes of the people on this question of the accession, which would be wholly consistent with the principles to which they and the Pakistan Government and the Council had all along subscribed."

### APPEAL TO RAU

Sir Gladwyn, therefore, appealed to Mr Rau to set at rest any doubts on that point by reaffirming quite explicitly and categorically that the Indian Government intended to adhere to their undertaking to settle the future accession of Kashmir by a free and impartial plebiscite conducted under U.N. auspices. Such a statement, he said, would be "most welcome" to the Council.

The British delegate said the Council had now reached a "turning point."

### END TALK OF WAR

"The Security Council, we suggest, must very shortly face the issue and by passing the revised resolution without hesitation make known its definite attitude as regards this dispute.

"By so doing, it will at least make it clear the U.N., other than the two parties, is concerned with one thing and one only, which is that wild talk of war on one side or the other must stop and that the solution of this admittedly difficult problem must now be achieved by peaceful means, and indeed essentially by means laid down in the Charter to which we have all subscribed.

"This is what we shall be doing if we now pass the amended resolution," he concluded.

Mr Ernest Gross (U.S.A.) said the amended resolution took into account objections made by both parties, the most important being insistence by India and Pakistan on holding firm to the August, 1948, and January, 1949, resolutions.

"The amended text is, in my opinion," said Mr Gross, "the irreducible minimum in this case, if the Council is to provide machinery which will aid the parties to carry out their commitments as members of the U.N. to settle their disputes by peaceful means."

The amended resolution now charged the U.N. representative with the duty of effecting demilitarization on the basis of the 1948 and 1949 resolutions.

That did not mean the U.N. representative should disregard the efforts of more than two years in attempting to implement those two resolutions, as experienced by Gen. MacNaughton and Sir Owen Dixon. That experience formed part of the Security Council record and neither could nor should be ignored, he said.

### DUTY OF PARTIES

"We believe," said Mr Gross, "the parties should be led, by virtue of their attitude towards the two resolutions of the U.N. Commission, to give the U.N. representative their detailed plans for implementing those resolutions.

"We are most pleased to note the reaffirmation by the representative of India of his Government's firm adherence to these two resolutions and his statement that they contained adequate provisions for a free and impartial plebiscite under U.N. auspices.

"We cannot agree with Mr Rau's em-

not make any further concession."

Dealing with the proposed Kashmir constituent assembly, Mr Gross said his Government believed the Security Council could and should affirm the final disposition of the State would be made through a plebiscite under U.N auspices.

"We believe it is important the Security Council hold firm to this language as a minimum statement of its attitude towards the proposed constituent assembly and towards the obligations of the Indian Government in respect to this constituent assembly.

"The matter of the final disposition of Kashmir is an international question, a matter which this Council has had within its purview for over three years.

It clearly falls within the field of external affairs and Mr Rau has told the Council the external affairs of the Kashmir Government are within the control of the Indian Government.

"The Council, therefore, should be entitled to assume that the Indian Government will prevent the Kashmir Government from taking action which would interfere with the responsibility of this Council."

Mr Gross in conclusion asked the Council to give serious and prompt consideration to the resolution.

He said it offered a "reasonable device" to help the parties solve a complex issue. "It is offered in the sincere belief the present frame of mind of both parties requires that the Security Council aid them in attempting to advance towards a solution rather than leave them to their own devices."

After the U.S. delegate had spoken, the Council adjourned the debate until March 29.

Mr Rau was not present at the session. India's representative was Mr Rajeshwar Dayal, alternate delegate.—P.T.I.-Reuter.

## NO COMMENT IN KARACHI

KARACHI, March 22.—No comment was available here today from Pakistan official sources on the revised U.K.-U.S. resolution on Kashmir submitted to the Security Council last night.

It is considered likely the Pakistan Cabinet will discuss the resolution before the next meeting of the Security Council and forward instructions to Mr Zafrullah Khan who is representing Pakistan in the Council.—P.T.I.

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# NO ACCEPTANCE OF NEW ANGLO-U.S. RESOLUTION

## Prime Minister Reiterates India's Stand

(From Our Correspondent)

AGRA, March 25.

ADDRESSING a public meeting here today, Mr Nehru criticized the Anglo-U.S. resolution on Kashmir, now before the Security Council, and said it was not possible for India to accept it. Such acceptance, he added, would be dishonourable for India.

The Prime Minister also criticized the speeches of the British and U.S. representatives in the Security Council and added they were an insult to India. The whole of India was behind Kashmir, he said, and added every effort would be made to protect the State from external aggression.

Mr Nehru, accompanied by Lady Mountbatten and Mrs Indira Gandhi, arrived here in the morning. They visited Fatehpur Sikri, Taj Mahal and other historical places. The Prime Minister also addressed a meeting of Congress workers.

Speaking at the public meeting later in the evening, adds *P.T.I.*, Mr Nehru referred to the food problem and said ultimately the country would have to become self-sufficient. People would have to raise food for themselves. For the present there were of course difficulties. The Government were trying to increase imports. The U.S. Congress was now discussing their offer of food made to India and the results might be known soon.

On the problem of zamindari abolition, the Prime Minister said certain legal difficulties had now arisen in the execution of the Acts for the abolition of landlordism in some States. To remedy these difficulties the Constitution would have to be amended. If possible, a Bill might be introduced in Parliament to make the necessary changes in the Constitution.

The Prime Minister regretted the prevalence of communalism in India. He was, however, glad the difficulties that attended the partition of India had been surmounted.

The meeting was attended by over two lakhs of people.

# JOINT RESOLUTION ON KASHMIR

## Bunche Mentioned As U.N. Representative

LAKE SUCCESS, March 27.—The Indian delegation to the U.N. was still awaiting instructions from its Government regarding the revised Anglo-U.S. resolution on Kashmir, it was learned yesterday.

It was said here that on the basis of Mr Nehru's declaration at Agra that acceptance of the resolution would be "dishonourable" for India, she would reject the resolution.

It appeared, nevertheless, the British and U.S. delegations would press on with their resolution as they seemed to consider it the "rock bottom" of what was needed to meet the situation.

The next meeting of the Security Council was scheduled for Thursday. The reaction of India and Pakistan to the revised draft was expected to be known then.

Now that the issue had been narrowed down considerably it was generally expected that a decision on the Anglo-U.S. resolution would be taken in the next two or three meetings of the Security Council.

Dr Bunche's name has been mentioned for the post of U.N. representative in Kashmir.

Dr Bunche, asked here about the possibilities of his new appointment, said he had not been sounded on the question but that if he was asked to undertake the responsibility, he, as an official of the U.N., would have to do so.

The resolution before the Security Council does not say that acceptance by either of the contending parties would be necessary before the representative was named by the Security Council. It was presumed, however, that both the Indian and Pakistan Governments would be consulted in the normal course before the appointment was announced. —P.T.I.-Reuter.

*The Hindustan Times*

TUESDAY, MARCH 27, 1951.

## TURNING POINT

The Prime Minister has spoken for the people of this country as a whole in declaring at a public meeting in Agra during the week-end that to accept the revised Anglo-U.S. resolution on Kashmir would be dishonourable to India. Mr Nehru is also reported to have stated that the speeches made by the British and U.S. representatives in the Security Council in commending the resolution were an insult to India. There is no doubt that the mentality revealed in the latest speeches of Sir Gladwyn Jebb and Mr Ernest Gross has come as a shock, betraying as it does utter lack of fairness and a deliberate intention to put India in the wrong. The responsibility of the British delegate is perhaps greater since the Americans originally allowed themselves to be influenced on this issue by the British Government. It is possible that considerations of power politics and the need for building up bases in the Middle East have now converted Americans to the view that Pakistan should be appeased at the cost of India. If so, the two Governments must now see that their tactics at Lake Success have had an effect here totally opposite to what they had hoped for. Opinion in this country is hardening against U.N. and if the Security Council under Anglo-American pressure passes the latest resolution that may precipitate a crisis in the relationship of India with the international body. The British delegate told the Council that it had reached a "turning point" in relation to the Kashmir issue and that it must "make known its definite attitude as regards the dispute." The people of this country, too, feel that they have reached a turning point in their attitude towards U.N. and they are determined to back their Government to a man in any action it feels called upon to take in relation to the Security Council or in meeting any threat to the security of Kashmir and of India.

*Any attempt to answer the arguments advanced by Sir Gladwyn and Mr Gross is meaningless since*

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they start from wrong premises. There is no such thing as "an international agreement between India and Pakistan on the Kashmir issue." Therefore, Sir Gladwyn's suggestion that the only right course is to accept arbitration on points of interpretation and application is out of court. The question of the accession of Kashmir is not in dispute. Only, India has unilaterally announced her desire to give the people of Kashmir a chance to decide whether they would remain within the Indian Union or not. Pakistan committed an act of aggression on Indian territory and the very demarcation of the cease-fire line is a proof of that act. India asked U.N. to tell the aggressor to withdraw from Indian territory and thus save her the unpleasant task of throwing Pakistan forces out. The crux of the resolutions of August 13, 1948, and of January 5, 1949, was that they accepted India's position basically. It was India that made the concession of not insisting on Pakistan being declared technically an aggressor and went so far as to promise to reduce her troops in Kashmir to the minimum essential for preventing external aggression and internal disorders, provided Pakistan troops were first totally withdrawn and the so-called "Azad" forces disbanded and disarmed. Another big-hearted concession India made was to offer to hold the plebiscite under U.N. auspices. This was because of her fundamental faith in democracy. Mr Gross was thus entirely wrong in stating that it was not a case of India having reached the limit of concession but of India being asked to honour her commitment. We assert that throughout the consideration of the issue in the Security Council and by its representatives deputed to mediate, it is India who has made concessions for the sake of a peaceful solution. Whether Mr Gross likes it or not, the truth is, as Mr B. N. Rau has stated, that this country is not going to make any further concession and if the Security Council wishes to back out of its previous commitments it must suffer the moral consequence of such a *volte face*.

Sir Gladwyn argued that Pakista was ready to accept arbitration o all points of disagreement whi India was unable to accept arbitr tion in any form. This is a che attempt at painting India black a Pakistan white. Could any coun accept arbitration on what for would constitute its security? E weakened Britain's attitude tow Western Union and Atlantic defence is an eloquent rebutta Sir Gladwyn's argument. Self pect and honour is not the mono of Britain.

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## Mufti Presented 'Key' To Kashmir

LAHORE, March 27.—The "Freedom of Kashmir" was conferred on the Grand Mufti of Palestine by the "Azad Kashmir Government" at a formal ceremony held in Muzaffarabad yesterday. The Grand Mufti was also awarded the title of "Ghazi-e-Millat."

Presenting a rifle to the Mufti, Ch. Ghulam Abbas, head of the "Kashmir Liberation Movement," said normally on such occasions distinguished visitors were presented with a key to the city. But "we have given you the rifle for we know that through it alone we could find an entry into the Indian-occupied Kashmir."—P.T.I,

### MUFTI TALKS OF 'JEHAD' FOR KASHMIR

LAHORE, March 27.—The Grand Mufti of Palestine at a reception in Abbotabad on Saturday said *jehad* was the "corner-stone of Islamic policy."

Addressing a meeting in Muzaffarabad later he appealed to Muslim countries to form an "Islamic bloc" to help solve the problems of Kashmir, Palestine and Morocco.

He expressed doubts over a possible solution of the Kashmir problem through the intervention of the U.N. "Unless the Muslim world joins the Kashmiris in their war of liberation, the deadlock will not be broken," he declared.

He added: "Unity, faith and *Jehad* alone can ensure solution of the economic and political issues facing the Muslim world."

Chaudhary Ghulam Abbas, nead of the "Azad Kashmir" movement, addressing the meeting, said: "If Pakistan continues to depend on Britain and America a just and useful solution of the Kashmir issue will never be reached."—P.T.I.-Reuter.

before the U.N. as a [illegible] and secondly because such a man is more likely to command the respect of India and Pakistan. It is possible, however, the name of the representative will not emerge from the consultations until after the Council approves the resolution.

### ABBAS RESIGNS FROM 'AZAD KASHMIR' GOVT.

KARACHI, March 24.—Chaudhry Ghulam Abbas, leader of the Pakistan-sponsored "Azad Kashmir" movement, has resigned, according to *Ehsan*, an Urdu morning paper of Karachi.

The paper today published a report from Rawalpindi which said: "It is reported Ghulam Abbas, Commander of the 'Azad Kashmir' movement, has resigned. The movement will now be directed by a committee to be nominated by Abbas. It is learnt Abbas has appointed his secretary, Yusuf, as convenor of the committee. Other two members will be heads of the 'Azad Kashmir' Government and All-Jammu and Kashmir Muslim Conference."—P.T.I.

### MUFTI'S VIEW ON KASHMIR

LAHORE, March 24.—The Grand Mufti of Palestine told a gathering of tribesmen at Wana, South Waziristan, on Thursday the problem of Kashmir was there because of the lack of unity among Muslim countries.

He declared Kashmir was bound to be won over by Pakistan.

The Mufti is to visit 'Azad Kashmir' on Sunday.—P.T.I.

THURSDAY THE TIMES OF INDIA MARCH 29, 1951

# Arbitration Unacceptable To Kashmiris

## SHEIKH ABDULLAH OPPOSES POSTING OF FOREIGN TROOPS

**From Our Own Correspondent**

JAMMU, March 28.

WE cannot entrust our future to an arbitrator. The suggestion of arbitration deprives us of our legitimate right," said Sheikh Mohammed Abdullah, Chief Minister of Kashmir, in a 3,000-word speech broadcast over Jammu radio station this evening.

He added: "The masters of Kashmir are the 40 lakh Kashmiris.

"How disastrous the suggestion for arbitration is, is fully known both to the people of India and Pakistan as both have heavily suffered on this account.

"Pakistan wished foreign forces to occupy Kashmir so that this land may be plunged into misery and another Korea created here and just as that unfortunate country has been ravaged and ruined so should Kashmir be torn and trampled. Once foreign forces hold control over this land, all authority is sure to get transferred into their hands. This will turn Kashmir into the centre of a world war for the boundaries of this country converge on the confines of countries whose ideologies are repugnant to the Anglo-American bloc. The arrival of foreign troops in Kashmir will not only destroy our liberty but would also threaten that of India and Pakistan, thus jeopardising the future of both States.

"This is not all. Pakistan is set also to undermine the people's Government in Kashmir and to hand over the reins of authority to U.N. representatives to rule as fascist dictators over four million people. It would restore the curses of autocracy and absolutism to eliminate which the Kashmiris have striven and struggled for 18 years.

"Are not plebiscite and arbitration terms contradictory conceptions. The very fact that Pakistan so vigorously opposes our efforts to set up a Constituent Assembly proves how far remote Pakistan is from democratic ideals. Her plea of religious brotherhood sheathes her desire to

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# KASHMIR ISSUE "BASICALLY WRONG"

# Prime Minister Condemns Revised Resolution

## "INDIA NOT TO OBLIGE PAKISTAN'S FRIENDS"

**From Our Special Correspondent**

THE latest Anglo-American resolution on Kashmir now before the U.N. Security Council was unacceptable to India because it put forward the fantastic theory that that State was a "no man's land", sovereignty over which was inderminate, declared the Prime Minister in Parliament on Wednesday, replying to the debate on demands for grants to the External Affairs Ministry.

**It departed from earlier resolutions, all of which clearly accepted the legal accession of Kashmir to India, added Mr. Nehru. It was fundamentally "wide of the mark." It ignored the past, was based on a wrong approach and was "dangerous and distorted."**

Kashmir, Mr. Nehru emphasised, was "not a matter of prestige or sentiment but a matter of hard fact." It constituted one facet of India's relations with Pakistan which, taken as a whole, must as rapidly as possible be geared back to a state of normalcy.

India and Pakistan were so situated that there was no other lasting alternative to harmonious relations with one another which the close ties that even now existed between the peoples of the two countries would necessarily further. Any attempt to undo partition would be mischievous and fraught with grave consequences. The contacts between the two nations must be assiduously developed, and the recently concluded Indo-Pakistan Trade Agreement was a mutually advantageous step in this direction. It was a step towards normalcy.

Summing up the general international situation, the Prime Minister expressed the view that the threat of war had receded and the lengthening shadow that the Korea fighting had cast over the world had lifted to some extent. The Deputies of the Big Four Foreign Ministers were meeting in Paris. They had not made much progress. But as long as the conference tables were not deserted so long would hope remain.

Mr. Nehru.

He had hoped that this method would be employed in the settlement of Far East problems. At one time

*Continued On Page 5 Col. 1*

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# WITHDRAWAL OF KASHMIR ISSUE FROM U.N. DEMANDED

## Dr. Mookerjee's Criticism Of Foreign Policy

*Continued from page 1 col. 1*

this was very close, but certain decisions of the U.N. had come in the way. But the most extraordinary aspect of the handling of the Korean affair by the U.N., Mr. Nehru somewhat heatedly exclaimed, was the very grave development of statements on political policy being made by military commanders in the field. The fact that these pronouncements were being made by a famous General did not make his incursions into the realm of politics any happier.

The Prime Minister was congratulated by all speakers on his foreign policy, particularly with regard to Korea, Tibet and Nepal.

Prof. S. N. Mishra mentioned the "unbroken series of right decisions in the international sphere," while Dr. Syama Prasad Mookerjee described it as a "noteworthy contribution of this country to human progress."

Only Mr. Brajeshwar Prasad cried out in dismay. He had originally given notice of a cut motion "to discuss the desirability of setting up a joint council consisting of Marshal Stalin, Mr. Mao and Mr. Nehru vested with full powers over defence, foreign affairs and communications," but with commendable restraint decided that this was perhaps unnecessary and merely told the House that India would have to join the Sino-Soviet bloc as a matter of "geo-political necessity."

But encomiums were only the outer layer of the sugar-coating that covered the bitter pill. But the doses of criticism were not very unpalatable and were administered with due apology.

### INDO-PAK RELATIONS

Dr. Mookerjee alone spoke with bitterness and scorn about the "dynamic inconsistency" of India's policy towards Pakistan. India was at war with Pakistan over one issue, but in other directions he gave them aid and succour—the recent Trade Agreement was a case in point—to strengthen the arm that smote her and would smite her yet again. The Prime Minister had said recently that if Pakistan advanced an inch further in Kashmir, it would be considered an act of war against India. But why this generosity? Did not Pakistan already occupy half of that State? What Mr. Nehru should say was that if Pakistan did not quit "Azad Kashmir," it would be interpreted as an act of aggression against India.

The U.N. had clearly and unmistakably failed India over the unambiguous case of aggression in Kashmir. Amidst cheers he declared that it was time Government withdrew the Kashmir issue from that organisation.

The Minorities Agreement, Dr. Mookerjee remarked with great feeling, had not achieved its objective. "There is no honourable place for a Hindu in East Bengal", he declared and if several refugees had that same reason any idea of hurling ultimatums at France and Portugal to quit their colonial possessions in India—Prof. S. N. Mishra had demanded that the metropolitan powers concerned should be confronted with "a concrete and inflexible alternative"—was "extraordinary and unrealistic."

India could not tolerate any "foreign footholds." But such an end could be consummated by negotiation and diplomacy and not by war or talk of war. The Government of India offered to the people of these territories the autonomy to pursue their distinctive way of life.

Mr. R. U. Singh had said that India's foreign policy should be linked to strategy and had quoted Bismark's dictum that a person could only be considered safe in his own house when he could sleep in safety on his doorstep. He had built up a thesis of zonal security based on this strategy and had advocated the recognition of a security zone extending from Singapore to Cairo and East Africa as the outer limit of our diplomatic frontier.

But Bismark, replied the Prime Minister, was dead. And Bismark's policies were "deader." If India extended her frontiers by thousands of miles, other nations would do the same, and she would swim in the "frontiers" of a dozen powers. The result would be an accentuation of conflict. This was a 19th century philosophy of imperialism and expansionism.

Dr. B. V. Keskar, Deputy Minister for External Affairs, wound up the debate. Despite financial stringency, he said, the External Publicity Department had a commendable record of constructive achievement to its credit. The House adjourned before the argument into which he was led by Mr. Ram Subhag Singh as to whether or not the Vatican was a State could be finally and satisfactorily settled.

"P.T.I." adds:

The Prime Minister condemned the latest Anglo-American resolution on Kashmir as "basically wrong." He regretted the "tone and content of some of the speeches, more especially the speech by the representative of the United Kingdom, which displayed "an astonishing ignorance of the entire problem."

### KASHMIR PART OF INDIA

He added amidst lusty cheers that Kashmir was "juridically and politically an integral part of the State of India. In no case has Pakistan the slightest right of any kind."

Holding that the present foreign policy was the only right policy to adopt, especially with India's background in the past quarter of a century, the Prime Minister said that it constituted an enormous development of what her people thought and spoke. It helped towards maintenance of peace and avoid

of old times with a certain nostalgic feeling.

It was also true that what had happened during the last two and a half years had created enormous problems. The partition itself would have raised them in any event, but what happened after partition made them infinitely worse. "All these years," said Mr. Nehru, "we have been struggling to meet this position and somehow to get back to normality. We have not succeeded, but I think we have made some progress."

Mr. Nehru said, "Dr. Mookerjee thought that we were very illogical. On the one side we talked of coming to terms with Pakistan and being friendly with them and arriving at a trade pact which helped Pakistan to get strong, and on the other hand we talked in strong terms with regard to Kashmir. That is true. We do both, because both are necessary. You cannot take up the attitude that because we have not come to terms on Kashmir, we go in for an all-out conflist. We are convinced that India and Pakistan must, as rapidly as possible, revert to normality in regard to their relations. We are so situated that we must have that close co-operation between the two neighbour countries.

Coming to the Kashmir issue, Mr. Nehru said: "More than one member talked about our withdrawing this issue from the Security Council. That may be a reaction which is understandable in the circumstances but I do not think that if the member thinks about it, he will advance that argument.

### POLICY TOWARDS U.N.

"First of all, I am not quite sure if anything can be withdrawn at all in this way. It will be a gesture. Secondly, this would mean our re-orienting our whole basic policy towards the U.N. as well as the great nations in that Organisation. It is not a small matter.

"Therefore, any suggestion that because of the Kashmir issue we should do something which would amount to our cutting ourselves adrift from that Organisation, I think is wrong and should not be advocated. We have, if I may submit with all respect, to avoid any sentimental or passionate approach to these problems.

"In regard to Kashmir it has sometimes been said, not in India but abroad, that India's approach is a sentimental one. If it were, I do not know how Pakistan's approach can be characterised, as one reads about it from day to day in Pakistan's newspapers. (laughter). Anyhow, I have many failings (more laughter), but my colleagues certainly are not people who are easily swept away by sentiment. (cheers). They are men of great experience and with a capacity for cold-blooded reason which is remarkable. (laughter).

"India we have made it clear," the Prime Minister continued, "desires peace above everything, peace in the world and peace with our neighbours. But India is not quite so feeble or weak as to submit to insults and threats of "jehad".

From the very beginning, Mr. Nehru said, it had been the declared policy of the Government of India that the people of Kashmir should Kashmir as long as it did not deliberately accede to Pakistan.

"We went to the United Nations," Mr. Nehru continued, "not to determine the accession issue or as to where the sovereignty lies. We did not go there to seek arbitration but to complain about the aggression of another State which was likely to lead to international complications and probably affect international peace. Evidently the sponsors of the joint resolution before the Security Council have a short memory and have forgotten how the matter came up before the Security Council and the history of the tragic events that had preceded it. The U.N. utilised the position of our having made a reference in this matter to widen the scope of their inquiry and, despite the protest of the Kashmir Government we, in order not to lower the prestige of the U.N. gave every facility to the U.N. Commission. But until this moment neither the U.N. Commission nor the Security Council has suggested that the question of accession was arguable.

"We have at all times been agreeable to the idea of a peaceful settlement by mediation. But we have not considered arbitrament as suited for a solution of a complex problem like demilitarisation at this present dangerous juncture. We submit that this proposal for arbitrament is neither fair nor a healthy proposal and ignores the basic facts that we have mentioned."

Referring to the proposal for a Constituent Assembly, Mr. Nehru said: "A great deal of stress has been laid in the revised resolution and in the speeches sponsoring it on the proposal to have a Constituent Assembly in Kashmir. While stress is laid upon this, no mention is made to the continuous threat of war that is hurled upon us by Pakistan from day to day. We have made it perfectly clear that the authority of the Security Council is not challenged in any way by the proposal to have a Constituent Assembly for Kashmir.

"This follows naturally and inevitably from our Constitution and our general policy all over India. It is intended to regularise the position in Kashmir whereby the authority does not flow from an absolute sovereign or from a political party, but is derived from the people. (loud cheers).

"We are always prepared to have the assistance of a mediator and to explore the avenues of a settlement with him. How far such a mediator can be helpful at the present juncture is an another matter. But we cannot accept anything that flows from the basically wrong argument of the proposed resolution before the Security Council (loud and repeated cheers).

"I have ventured to remind the House of the legal and historical aspects of this case because they are of essential importance. We have no desire to base our position on legal formulae only. But we cannot accept a position when the law and the Constitution on which we stand can be ignored. Apart from law, the political consequences of any proposal or suggestion have to be considered. This is not a small matter for some kind of an 'ad hoc' decision, but a matter which concerns not only the four million people of Kashmir but the hundreds of milions of people of India and Pakistan. It will be an act of very little wisdom if something is done which leads to a major upheaval involving these hundreds of millions."

Mr. Nehru concluding said: "So far as we are concerned, our policy in regard to Kashmir, I believe, has been

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# INDIA REJECTS ARBITRATION MOVE ON KASHMIR

LAKE SUCCESS, March 29.—Mr Rau told the Security Council today that his Government could not accept the arbitration proposal put forward by Britain and the U.S.A. as part of a solution for the Kashmir question.

Mr Rau said no one objected to arbitration as a general principle but when under the guise of arbitration agreements already arrived at were sought to be disturbed "my Government cannot but object."

He said the arbitration proposal in the Anglo-U.S. resolution was a "violation" of the resolution on Kashmir agreed to by India and Pakistan in August, 1948. "For this and other reasons my Government cannot accept it," Mr Rau said.

"Recent developments in Pakistan and what is called 'Azad Kashmir' indicate forcefully the dangers of any failure to give adequate security to the State," Mr Rau said.

He added the report of the U.N.C.I.P. had said the pro-Pakistan 'Azad Kashmir' forces were built up to the "formidable strength of 32 battalions during the cease-fire period" in violation of the resolution of August 1948.

"The Commission itself remarked that this made the withdrawal of the Indian forces a far more difficult matter than was contemplated in that resolution," Mr Rau said. "The recent army plot in Pakistan has added greatly to that difficulty. Moreover, talk of 'jehad' or a holy war is as pervasive and persistent as ever in Pakistan."—P.T.I.-Reuter.

# ANTI-ANGLO-AMERICAN FEELING IN KASHMIR

## People Determined To Convene Constituent Assembly

**From Our Staff Correspondent**

SRINAGAR.

ANTI-Anglo-American feeling has been mounting all over Kashmir State. So angry were its manifestations last week that is is surprising that the upsurge of sentiment did not culminate in violence.

The National Conference, trade unions as well as student organisations held demonstrations and protest meetings to express their resentment against the handling of the Kashmir issue by the Security Council. The joint Anglo-American resolution came in for sharp criticism. The processionists carried placards bearing such slogans as "Down with Anglo-American Intrigue"; "No Foreign Troops in Kashmir Shall be Allowed"; "No Meddling in our Affairs"; "No Partition"; "No Arbitration"; "We are Part of India and Shall Stay So"; "Constituent Assembly shall be Convened." Slogans pledging full support to Sheikh Abdullah and Pandit Nehru were raised. Anti-foreign feeling ran so high that foreigners became apprehensive of their safety.

### DEMONSTRATIONS

Rumour has it that it was due to these demonstrations, which were duly reported to Lake Success, London and Washington by U.N. Observers here, that the sponsors decided to modify the original resolution. Country-wide demonstrations which were scheduled for Friday last were put off in the hope that the resolution would be subsequently changed and Kashmiri demands met. But the revised resolution and the introductory speeches by the British and American delegates did not fulfil the expectations.

Spokesmen of the Kashmir Government contend that unless the basic complaint that it was Pakistan which resorted to aggression and committed a breach of international law is recognised by the Security Council, there can be no solution of the tangled problem. If the Security Council condemns the move of Kashmiris to convene a Constituent Assembly, it would be playing into the hands of Pakistan and acting in a partisan manner.

As far as the Kashmiri people are concerned they are determined to go ahead with preparations to convene the Constituent Assembly. There is no change in the schedule of preliminaries, I learn officially.

### CRUDE AND CLUMSY

Political observers here are surprised that Sir Gladwyn Jebb should have asked the Indian representative to state and "reaffirm quite explicitly and categorically" that India does not consider the accession of Kashmir to India complete and legal.

## Kashmir Newsletter

efforts of the sponsors to change the position accepted by them then are considered crude and clumsy ways of pleasing Pakistan by tilting the scales against India.

Political circles here contend that the interpretation put by Sir Gladwyn Jebb on the legal position of the State is completely misleading. The present position is that the accession of the State to India is an accomplished fact and only awaits ratification by the people of Kashmir.

One of the problems that Kashmir faces these days is the acute shortage of electric power. The hydro-electric station at Mahora, 55 miles from Srinagar, is 44 years old. The machinery is worn out. The plant produces only 2,200 k.w. A visitor recently asked in jest whether Kashmir had a black-out every night. The Sindh hydro-electric-cum-irrigation project, which was planned as far back as 1945, has not yet been taken in hand due to red tape and inefficiency. In 1949, the Government of India sanctioned a loan of Rs. 1,50,00,000 for implementing the plan. Construction work started last year, is at present held up for want of digging and other machinery, orders for which, I understand, the Government has not yet placed abroad.

### POWER SUPPLY

Orders for generating machinery, however, were placed with manufacturers in Great Britain and Germany last autumn. The machinery is expected here after 2-1|2 years. If and when it is set up, the Kashmir Valley would have sufficient electrical energy for lighting, industrial and irrigational purposes in 1955. I understand that the price of the machinery has gone up since the placing of the order. The Kashmir Government did not remit an advance to the manufacturers even after six months of placing the order. Such inefficiency will have to be eradicated if Kashmir is to make any progress in economic and industrial fields. Public criticism is on the increase about the misuse of electricity which Government are unable to stop. Daily installation connections are being sanctioned in favour of individuals and small rice husking mills or other concer using electrical energy. The cha laid at the door of the authoritie that of corruption.

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The Times of India

Friday, March 30, 1951

## Joint Conspiracy

It has become the fashion in some countries to deride Mr. Nehru and India for being sentimental over the issue of Kashmir. In this vital matter neither India nor her Prime Minister can afford the luxury of emotion. Not sentiment but realism conditions this country's approach to the Kashmir problem. When over three years ago India raised this issue before the United Nations, it did so with a specific complaint of aggression by Pakistan and the threat this involved to international peace. For their own reasons, America and Britain, who dominate the Security Council, have jointly conspired to thrust India's original complaint into the background and to befog the entire Kashmir problem in clouds of controversy. If, after such devious manoeuvres, it is the intention of Washington and London to browbeat this country into accepting a deal which runs counter to the very objectives and Charter of the United Nations, they grievously mistake India's resolve and are straining her patience.

Kashmir's accession to India, as Mr. Nehru points out, was accepted by the then Governor-General on behalf of the Crown and it is surprising that the fact should now be questioned by the United Kingdom. Much is sought to be read into the proposal to convene a Constituent Assembly in the State. The election of this body is perfectly constitutional and as the Prime Minister has repeatedly made clear, the authority of the Security Council is in no way challenged by the proposal to establish this body. "It is intended," explained Mr. Nehru in the latest parliamentary debate, "to regularise "the position in Kashmir, where- "by authority does not flow "from an absolute sovereign or "from a political party, but is "derived from the people." Yet the Anglo-American *bloc* insists that this is not to their liking and there is little doubt that the Security Council will dutifully echo this view. What the Anglo-American resolution aims at doing is the creation of Kashmir into a "no man's land" which presumably can be controlled later as Washington and London determine. The formation of another enclave, masquerading under the banner of the U.N. is an eventuality which India cannot possibly countenance.

# U.N. COUNCIL ADO ON KASHMIR

## Arbitration Decision By Heavy Vote

## RUSSIA AND YUGOSLAVIA ABSTAIN

## Situation Made More Difficult, Says Rau

LAKE SUCCESS, March 30.

**THE Security Council today approved the Anglo-U.S. resolution calling for the appointment of a new U.N. representative to try to solve the three-year-old dispute over Kashmir between India and Pakistan.**

The resolution was approved by eight votes to nil with two countries—Yugoslavia and Russia—abstaining. India did not vote in accordance with the rule that an interested party to a dispute should not take part in the vote.

The Council adjourned until Monday so that it could hear a statement from Mr Zafrullah Khan.

Mr Rau told reporters he could not say what the India Government's attitude would be to a U.N. representative to be sent to the Indian sub-continent in terms of the resolution passed today. It was a matter resting entirely with the Indian Government.

He added: "I think the resolution makes the situation more difficult by the provision for arbitration."

In his opinion the Council might have been better advised to adopt the course suggested by the Yugoslav delegate—that of encouraging the parties to arrive at a settlement by direct negotiation.

Mr Rau said there was considerable difference between what could sometimes be done voluntarily and what was sought to be obtained under threats.

Mr Rau added the Indian delegation had not been consulted on the subject of who would be the new U.N. represen-

**Rau's speech in Security Council on Thursday—page 5**

tative. He said he had seen mentioned in the newspapers the name of J. Carlos Muniz of Brazil, but Mr Rau said he had not been asked for India's views on any candidate.

Mr Zafrullah Khan said: "Of course we shall accept the resolution. We have no criticism so far as it goes and we shall wholly co-operate with the objectives that have been explained by the sponsors and other members of the Security Council which the resolution is designed to achieve.

"We feel the efforts of the U.N. representative will not go very far towards the advance of these objectives unless India will radically change its position.

"In case it does not it may be necessary for the Security Council to take

**Continued on back page col. 4**

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# SECURITY COUNCIL DEBATE

Continued from page 1 col. 2

further steps in order that those objectives can be achieved."

The resolution proposed that a new U.N. representative be appointed to go to Kashmir. The representative was not named.

The representative would be instructed, after consultation with India and Pakistan, to effect demilitarization of Kashmir on the basis of the resolutions accepted by India and Pakistan in 1948 and 1949.

It further called upon the parties to accept arbitration upon all outstanding points of difference reported by the U.N. representative.

India has already declared that she could not agree to its provisions, particularly that in regard to arbitration.

Every country on the Security Council except Russia took part in the debate which led up to the vote.

Earlier, Mr J. von Baluseck (the Netherlands), the President, said there were four speakers to be heard. He added when they had spoken he intended to put the Anglo-U.S. resolution to vote

Mr Antonie Quevedo (Ecuador) told the Council that he would vote in favour of the draft resolution.

Mr Quevedo said a constituent assembly in Kashmir under the present circumstances could not represent the core of the people and could not give a free manifestation of their will. Anything which such an assembly might decide could not alter the international undertaking of India and Pakistan for a plebiscite.

Mr Quevedo said the authority and composition of the forces which might occupy the plebiscite area should be such as not to operate against the freedom of the plebiscite.

Referring to the question of arbitration, Mr Quevedo said his delegation did not see how this could operate to the disadvantage of either of the parties.

"In the opinion of my delegation we can only look to the manner in which a solution can be brought to this problem," he said.

M Francis Lacoste (France), announcing that his delegation would vote in support of the resolution, said the proposal did not prejudice anyone.

He said a study of the statements of India and Pakistan showed no real progress had been made towards a settlement of the dispute.

It should not be too difficult a task to elaborate a plan of demilitarization. The Council had been brought back to the same position it held on the issue on January 5, 1949.

Supporting the proposal for arbitration M Lacoste said the U.N. Charter bound all members to seek peaceful settlement of disputes. He added that nobody could doubt that India and Pakistan had fully in mind their undertaking in regard to the U.N.

## VISION AND WISDOM

Both countries had accepted the ceasefire order of the Council and a plebiscite. These were the essential points. The remainder was only an accessory.

"The parties must display the quality of their international consciousness, the loftiness of their vision and their wisdom," said M Lacoste. "The Governments of States such as India and Pakistan owe it to the international community and owe it to themselves to give proof conclusive of their political sagacity."

The French delegate said the resolution did not require the parties to sacrifice their ideals or even their interests. It asked them only to resort to settlement of their dispute by stages which they had already recognized.

The Governments of India and Pakistan could not fail to understand the gravity of the responsibility which devolves upon them in the circumstances.

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## PROCEDURAL HITCH

Dr E. L. Hsia (Nationalist China) declared that the proposed resolution was in perfect harmony with the spirit and temper with which the Security Council had endeavoured to find a settlement of the dispute.

A "remarkable thing" about the whole dispute, he added, was that the two parties and the Council were in complete agreement about the holding of a free and impartial plebiscite. The difficulties related not to principle but to procedure.

If these difficulties could not be settled by negotiation they should be settled by a third party. The arbitration provided for in the resolution gave a guarantee of impartiality.

Dr Hsia said his delegation was "very apprehensive" in regard to the Kashmir Constituent Assembly. Such an Assembly might pass a resolution declaring the accession of the State to India. It might incorporate in the Constitution an article to that effect.

"In either form such an act would not be in harmony with the resolutions passed by the Council or by the U.N. Commission," he declared.

### POSSIBLE DEDUCTION

Mr Rau's statement on this point had unfortunately not been quite definite, Dr Hsia said. Nevertheless it could be deduced from that statement that no such resolution or constituent article was contemplated. Dr Hsia said he hoped this inference was correct.

The Kashmir Constituent Assembly might also adopt before the plebiscite a constitution which would have "the tendency of making formal and definitive the present relationship of Kashmir to India," Dr Hsia said.

It might dovetail Kashmir's political structure so closely to the political structure of India as to signify a "definitive accession," the Chinese delegate declared.

"Such tendencies may arouse suspicions which would make the solution of the problem more difficult than now," said Dr Hsia.

The Council had a right to expect the parties would not take measures which would further complicate the question.

### U.N. HELP

Dr Hsia said: "The main features of the draft resolution are so obviously right that the Council must at least make a serious effort to implement them."

Dr Bebler (Yugoslavia) said the problem presented three salient features. The first was the existence of an agreement between the parties on the general principle of a settlement. The second was the persisting differences on a number of points connected with the implementation of the general principle. The third feature, and one, Dr Bebler said, that was frequently overlooked, was the fact that agreement had proved possible on such important points as, for instance, the establishment of a formal cease-fire, and that this agreement had been achieved by means of direct negotiations between the parties, with a varying measure of U.N. assistance.

"This appears to us to point to the course the Council should follow in its endeavour to do away with the differences now dividing the parties," Dr Bebler said. "What we should try to do should be to assist the parties gradually to narrow, in direct contact and by their own efforts, the areas of disagreement between them and thus move towards a settlement."

"Such a course—a course, incidentally, to which Sir Owen Dixon's references went at the close of his painstaking efforts to reach a settlement—appears to us, generally speaking, to be not only the soundest way of resolving matters of this nature but also the only really useful contribution we can make towards a solution of this vexed problem."

### ANOTHER COURSE

Dr Bebler said there was an alternative course the Council could follow. That course would consist of attempting to reach a solution "for the parties" rather than in "helping them" to achieve it themselves, of imposing upon the parties— or one of them—the actual mode of implementation of a settlement the principle of which they had already accepted.

"I feel that such a course would not only in all probability prove futile but might even impair what chances still remain of an understanding on the yet unsolved issues and to diminish rather than increase the prospects of an overall settlement," declared Dr Bebler.

He said his delegation had considered the operative part of the resolution and added: "The resolution inclines towards the second of the two courses described without having fully explored the possibilities of the first. I will, therefore, have to abstain on the resolution."

### U.S. VIEW

Mr Ernest Gross (U.S.A.) said Mr Rau had asserted that the draft resolution reopened issues which had been settled by the August 1948 resolution. The Indian delegate had said it sought to give Pakistan a voice in matters in which it had been denied any voice previously; that it sought to transfer to arbitrators the right to make decisions which previously had required the agreement of India.

India had, therefore, objected to the provision in the resolution calling for the acceptance of arbitration as a violation of the August resolution, said Mr Gross.

If the parties did not agree upon the details in filling out the framework, it would be because the parties had differing interpretations.

"In such a case," said Mr Gross, "there must be some way of resolving the problem of demilitarization and we have suggested arbitration as that way."

Mr Gross said the resolutions of 1948 and 1949 were "not the end of the road."

### DANGEROUS DEADLOCK

He said the commitment of India and Pakistan was to settle the question of accession by a free and impartial plebiscite.

"We are face to face with the necessity of finding a procedure which will enable the parties to carry out their basic and ultimate commitment," he added. "That commitment is to create the conditions whereby the people of Kashmir can vote without fear upon the question of accession. If resort to arbitration of any matters which stand in the way of this result is objected to, how can the dangerous deadlock be broken?"

Sir Gladwyn Jebb (Britain) expressed gratification that there was general agreement among members of the Council on the principle of deciding the future of Jammu and Kashmir by a free and impartial plebiscite under U.N. auspices.

"I am sure that the Council will have been encouraged by one thing at any rate. That is the reaffirmation by the representatives of the Governments of India and Pakistan of their own adherence to this principle," said Mr Gladwyn.

Answering points made by Mr Rau yesterday, Sir Gladwyn said he doubted if consideration of the legal aspects of the Maharaja's accession would not help to bring a solution of the Kashmir problem nearer.

"My Government have indeed from the outset of the Council's deliberations on this difficult question thought that we should do well to find the means whereby it should be fairly conducted," said Sir Gladwyn.—P.T.I.-Reuter.

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## RADIO KASHMIR BUILDING GUTTED

SRINAGAR, March 31.—The Radio Kashmir building here was completely gutted by an accidental fire today.

The fire broke out at about 4 p.m. and within less than an hour the entire building was reduced to shambles in spite of the efforts of civil and military fire-brigades.

The authorities were, however, able to salvage almost all valuable equipment including two transmitters, but the loss is estimated roughly at between Rs 1 and 2 lakhs.

The fire, it was officially stated, was caused by short-circuiting of electric wires in the transmitting room.

Marvellous engineering organization and determination of the Radio Kashmir staff, defying the devastation caused by the fire, brought the station again on air at 7-45 p.m. almost within two hours after the flames had been brought under control.—P.T.I.

## *Search For Kashmir Arbitrator*

**LAKE SUCCESS, March 31.—Britain and the U.S.A. are conferring on a list of candidates for the post of a new U.N. representative in Kashmir, a British spokesman said here today. The name of the selected candidate may be announced soon.**

**No confirmation was available here of a report that M Spaak, former Belgian Prime Minister, was being considered for the post. The name of Dr Bunche had also been mentioned as a likely choice. Now it seems to have receded.**

**A New York paper said Dr Muniz, Brazil's representative on the U.N. Council, was spoken of as the likely successor to Sir Owen Dixon. A report that the post was offered to Mr de Valera was categorically denied by a Foreign Office spokesman in London.**

**A high Security Council official said the session on Monday might be used to make a reference to the naming of the U.N. representative as arbitrator.—P.T.I.-Reuter.**

## U.N. DECISION ON KASHMIR

**Continued from page 1 col. 4**

had not, said Mr Rau, controverted his argument on the subject.

Sir Gladwyn Jebb (Britain) speaking in support of the Anglo-U.S. resolution in the Security Council yesterday tried to explain his Government's attitude on the Kashmir dispute.

Referring to Mr Rau's objections to arbitration Sir Gladwyn said he would remind the Council the whole of Part II of the resolution of August, 1948, was prefaced by the statement that "both Governments accept the following principles as a basis for the formulation of a truce agreement, details of which shall be worked out in discussion between their representatives and the Commission."

"Since the truce agreement has still to be formulated, I would suggest in no sense is consultation with both parties excluded by that resolution," added Sir Gladwyn.

"*The extent to which the matters dealt with in the two agreed resolutions are already decided and the extent to which Pakistan has a right to be consulted are two points eminently suitable for determination by arbitration. Indeed, since there is disagreement between the parties on them, arbitration provides the only suitable means of determination.*

"*Of course, it is not my Government's intention that any matter which has been clearly decided in favour of the Government of India should now be decided otherwise.*"

Sir Gladwyn said Mr Rau had suggested he (Sir Gladwyn) was being inconsistent in appealing to India to ensure the proposed Kashmir Constituent Assembly did not in any way prejudice the work of the Council while, at the same time, emphasizing Britain's view that the accession could not be regarded as a matter which had already been settled.

"I do not believe there is any incompatibility between those two views," said Sir Gladwyn. "This dispute is between India and Pakistan. It is obvious if there is one of these two parties to whom the Council must appeal in order to prevent prejudicial action by the Kashmir Constituent Assembly, it is the Government of India

"All that was asked was both parties to the dispute should give their full assistance to the Council so that, in the words of the January, 1949, resolution, the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of free and impartial plebiscite."

It was the British and U.S. conviction that the present resolution provided the best method of achieving this, Sir Gladwyn concluded.

### RESENTMENT CAUSED

In Jammu the news of the Security Council voting was received with great disapproval bordering on resentment. It is felt that the Security Council action amounts to telling India "to behave." Some also ask whether the sponsors of the resolution have acted wisely in creating resentment in the strategic State of Kashmir.

Bakshi Ghulam Mohammed, Deputy Premier of Kashmir told a crowded meeting of National Conference workers in Srinagar last night that the Security Council could not decide Kashmir's fate, says a *U.P.I.* message.

"Unless Pakistan is declared aggressor, no solution of the Kashmir tangle is possible," he declared.

"We are determined to call a Constituent Assembly, come what may. We are being threatened that foreign troops will be pushed into Kashmir. We can never accept this position. We shall prevent them from laying their foot on the soil of Kashmir even if it comes to armed resistance on our part," he added.

## U.N. COUNCIL VOTE A SERIOUS MATTER

### Govt. Considering Issue Says Prime Minister

**(By Our Special Correspondent)**

NEW DELHI, Saturday.—Taking a serious view of the issue arising out of the passage of the Anglo-U.S. resolution on Kashmir by the Security Council, four adjournment motions were tabled in Parliament today on the subject, but were not pressed after the Prime Minister had explained they would have to consider the position as a Government and, if necessary, he would come before the House as and when occasion arose.

Mr Nehru appreciated the feelings of the members on the subject. It was only two or three days ago that he had referred to the contents of the resolution "I feel confident" he said, "the entire House agrees with the point of view put forward by the Government with regard to this matter. There is no doubt at all what the House feels about it. I do not myself see what useful purpose will be served by a discussion of the subject at the present stage. There is no doubt in our mind that it is a serious matter and we will have to consider it as a Government. We will make an announcement in the House as occasion arises."

In Lake Success yesterday Mr B. N. Rau said that whether he would make another intervention in the Kashmir debate depended on Mr Zafullah Khan's speech before the Council on Monday.

In the ordinary course, the Indian delegate said he would have nothing to add to what he had already said before the Council.

Mr Zafrullah Khan's speech is likely to last between 45 minutes and one hour.

### HEAT AVOIDED

A feature of yesterday's debate was all heat was avoided in dealing with new controversial issues that had been raised, such as bringing into question the "accession" of Kashmir to India and India's control over Kashmir.

Mr Rau said after yesterday's meeting that, although both Sir Gladwyn and Mr Gross had quoted the preamble to part 2 of the August 1948 resolution in support of their argument that Pakistan did have a *locus standi* in demilitarization discussions, they remained silent on his quotations from paragraphs B (1) and (2) of the truce agreement.

He said it was the provision for Indian agreement alone with the U.N. Commission that would be negatived by the proposal to arbitrate whether the safeguards given by assurances to India existed. The British and U.S. delegates

**Continued on page 8 col. 2**

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# NEHRU ARRIVES IN SRINAGAR

SRINAGAR, April 1.—Mr Nehru arrived here this morning by air from Delhi.

The Prime Minister was accompanied by Mr V. K. Krishna Menon, Lady Mountbatten and Mrs Indira Gandhi.

He was received at the airport by Sheikh Abdullah, Bakshi Ghulam Mohammad, Maj.-Gen. Tara Singh Bahl and Maj.-Gen. Thakur Mahadeo Singh. After inspecting a guard of honour presented by units of the Indian Army he drove to Chashmashahi rest house.

Cheering crowds lined on both sides of the 12-mile route to the rest house, some of them carrying placards with slogans "Down with Arbitration," "Arbitration Gags People's Voice," "Down with Anglo-American Resolution" and "Kashmir for Kashmiris."—P.T.I.

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THE HINDUSTAN TIMES, Saturday, March 31, 1951.

# INDIA REJECTS ARBITRATION PROPOSAL

LAKE SUCCESS, March 30.—Mr Rau told the Security Council yesterday India could not accept the arbitration part of the Anglo-U.S. resolution on the Kashmir dispute.

Four speakers—Sir Gladwyn Jebb (Britain), Dr T. F. Tsiang (China), M Francis Lacoste (France) and Mr Zafrullah Khan (Pakistan)—were due to be heard today before the Council could wind up the debate and take a ballot.

He said no one objected to arbitration as a general principle, but when, under the guise of arbitration, agreements already arrived at were sought to be disturbed, "my Government cannot but object."

After Mr Rau's speech (already reported briefly) the representatives of Brazil, Turkey and the Netherlands all approved the arbitration proposal and announced their support to the Anglo-U.S. resolution.

Mr Rau said the arbitration proposal in the Anglo-U.S. resolution was a "violation" of the resolution on Kashmir agreed to by India and Pakistan in August, 1948. "For this and other reasons my Government cannot accept it," Mr Rau said.

"Recent developments in Pakistan and what is called 'Azad Kashmir' indicate forcefully the dangers of any failure to give adequate security to the State."

He added the report of the U.N.C.I.P. had said the pro-Pakistan 'Azad Kashmir' forces were built up to the "formidable strength of 32 battalions during the cease-fire period" in violation of the resolution of August 1948.

"The Commission itself remarked that this made the withdrawal of the Indian forces a far more difficult matter than was contemplated in that resolution," Mr Rau said. "The recent army plot in Pakistan has added greatly to that difficulty. Moreover, talk of 'jehad' or a holy war is as pervasive and persistent as ever in Pakistan."

"In such circumstances my Government cannot be expected to leave to a third party, however chosen, the decision as to how the State should be protected against a recurrence of the horrors of October, 1947.

"My Government has no objection to a new U.N. representative visiting India and Pakistan, if the Security Council so desires, to make a fresh attempt to assist by suggestion, advice and mediation, how proposals regarding demilitarization under the resolutions of August 1948 and January 1949 should be implemented with due regard to the assurances given to my Government in connection with them.

"This, of course, is subject to my Government's views regarding arbitration which I have explained."

## REPLY TO BRITAIN

Mr Rau opened his speech by answering the remarks made last week by Sir Gladwyn which, he said, "questioned Kashmir's accession to India."

Mr Rau said under the Government of India Act, 1935, as amended under the Indian Independence Act, 1947, Indian States must be deemed to have acceded to the Dominion if the Governor-General had signified his acceptance of an instrument of accession executed by the ruler. This was all that was required for accession; an instrument executed by the ruler and accepted by the Governor-General.

"On October 26, 1947, in order to obtain India's help to repel an invasion of the State in which Pakistan was aiding, the Ruler of Kashmir actually executed such an instrument of accession in favour of India and on October 27, 1947, Lord Mountbatten, then Governor-General of India, signified his acceptance of the instrument in the usual formula: 'I do hereby accept this instrument of accession.'"

"This document itself contains no conditions or reservations of any kind," Mr Rau said. "It is in the same form as any other instrument of accession accepted by the Governor-General and it took effect from the moment of acceptance.

"Only in the case of Kashmir, Lord Mountbatten, after accepting the instrument, wrote a separate letter to the Maharaja or Ruler in which he expressed Government of India's wish that law and order have been restored in Kashmir and its soil cleared

those paragraphs that the stages in which the bulk of the Indian forces were to be withdrawn and the strength of the Indian forces to be retained in Kashmir were matters for agreement solely between the U.N. Commission and the Government of India.

"Lest there should be any shadow of doubt on this point, the Prime Minister of India obtained explicit confirmation of it from the Commission before accepting the resolution," Mr Rau said.

He then quoted from a letter by the Prime Minister of India dated August 20, 1948, to the Kashmir Commission and the reply of Mr Josef Korbel, Commission Chairman on August 25.

Mr Rau said under the August 1948 resolution Pakistan had "no voice and no right to be consulted at all."

"This was not due to any oversight or accident of language," added Mr Rau. "It was due to the fact, well known to the Kashmir Commission as well as to others, that Pakistan had aided and ultimately joined in the invasion of the State.

"And of course no invader can be given a voice in the disposal or disposition of the protecting forces. Such was the position under the resolution of August 1948—a resolution accepted by Pakistan as well as India."

Under the Commission's resolution, even in vital matters affecting the security of the State, Pakistan would have a right to be consulted. "Furthermore," added Mr Rau, "if Pakistan is not in full agreement with India, the point will have to be decided by arbitrators in whose selection Pakistan will again have the right to be consulted. Thus the draft resolution seeks to reopen in favour of Pakistan, issues which had been settled by the resolution of August 1948.

"First, it seeks to give Pakistan a voice in matters in which Pakistan, as an invader of the State, had been rightly denied any voice under the older resolution. Secondly, it seeks to transfer its arbitrators the right to take vital decisions which under the older resolution required India's agreement. These are the new concessions to Pakistan. The Council cannot be surprised that Pakistan readily accepts them and India demurs.

"Sir Gladwyn has said he is unable to see how the proposed arbitration clause can threaten the security of India or work to the detriment of India's rights and responsibilities.

"I would only ask whether Sir Gladwyn would agree to a proposal that matters of military security vital to the United Kingdom should be decided not by its own Government nor even with its consent, but by arbitrators chosen by somebody else after consultation with the very country that has invaded British territory.

"No one objects to arbitration as a general principle, but when under the guise of arbitration, agreements already arrived at are sought to be disturbed in the way I have explained, my Government cannot but object."

Mr Rau said the revised Anglo-U.S. resolution continued to ignore "the basic facts" of the Kashmir situation.

He added a peaceful atmosphere was essential for settlement of the problem and the levelling of wild and baseless charges against India hardly provided a suitable background. The constant reopening of closed issue was not calculated to promote a peaceful settlement. "India desires peace above everything" said Mr Rau, "peace for the world and peace with all its neighbours. But there can be no lasting peace which is not based on fairness and justice."

## BRAZIL SUPPORTS MOTION

M Muniz (Brazil) told the Council there was no other way of resolving the existing impasse between India and Pakistan on the Kashmir issue "than by having recourse to arbitration." It was in that hope, he said, that Brazil supported the Anglo-U.S. resolution. He had made a conciliatory effort to bridge the differences between the two parties. During his conversations with Mr Rau and Mr Zafrullah Khan, he said, "I found both equally anxious to arrive at a fair and equitable settlement of the Kashmir question.

"Their sincerity, earnestness and profound wisdom were a constant source of inspiration to me in my endeavours."

...question of the State's ... be settled by a refer... people.'

...words, the acceptance of ...ence was followed by the expres... "a wish to be fulfilled at a future ...when certain conditions had been ...ded.

"Unfortunately, the soil of Kashmir has not yet been cleared of the invader. The Pakistan army which joined the invader is still there and so the fulfilment of the Government of India's wish has been delayed by Pakistan's own act.

"Meanwhile, the accession to India continues to be effective, and it will inevitably so continue, unless the people of Kashmir settle the question otherwise.

"Having delayed the plebiscite by an act of invasion, Pakistan cannot take advantage of its own wrong to hold up or suspend the legal consequences of the accession." There was nothing new in this interpretation: It was the view which the U.N.C.I.P. itself took as early as August 13, 1948, Mr Rau said.

Under the commission's resolution, Pakistan was to withdraw all its troops from the State, while India was to withdraw only the bulk of its troops. This distinction was clearly made because the Commission recognized that while Pakistan had no right to have any troops in the State, India, by virtue of its responsibility for the defence of the State resulting from the accession, had the right and the duty to retain some troops in the State to ensure its security.

## SELF-CONTRADICTORY

Mr Rau said in one part of his speech Mr Gladwyn wanted the Government of India to take all possible steps to prevent the Kashmir Government from acting in a certain way in the State Constituent Assembly, while, almost immediately afterwards, he questioned Kashmir's accession to India.

"Surely," said Mr Rau, "if Kashmir has not acceded to India, the Government of India cannot, on his own view of the matter, have any control over the Government of Kashmir."

"Even with accession, the control is limited; but without accession what would be the foundation for various ...ctions which Sir Gladwyn seeks to ...e upon the Government of India. ...respect to Kashmir, in one breath ...ands all possible preventive steps ...ndia and in the next he seems to ...n the very basis for his demand."

...e question of the Kashmir Con... Assembly, Mr Rau said India ...ot prevent Kashmir, which was a ...he Indian Federation, from exer... right to make its own constitu...

...stituent Assembly could not ...be prevented from expressing ...on the question of accession if ...xpress an opinion. "But," he ... opinion will not bind my ...or prejudice the position of ...

...o more than to express my ... spite of the statements ... made on behalf of my ...e references to the Con... ...bly in the preamble to ... resolution should have ...

...dia's objections to the ...osal in the Anglo-U.S ...Rau quoted paragraphs ...art II of the resolution ...e said it was clear from ...

Mr Shiv Rao said he had submitted to the Indian and Kashmir and Pakistan representatives a formula by which points of difference in the interpretation of the accepted resolutions would be submitted to a panel of arbitrators, consisting of the U.N. representative and one arbitrator nominated by India and Pakistan each. He said the Pakistan representative on behalf of his Government had accepted the formula.

The Indian Government, however, did not find it possible to acquiesce in on the ground that it could not agree to reopen closed issues and because of the fact that those issues affected national security, which the Indian Government could not agree to leave for arbitration. The Anglo-U.S. draft provided an appropriate basis for the definite settlement of the Kashmir problem. He appealed both to India and Pakistan to accept it.

Mr Selim Sarper (Turkey) said his Government was in substantial agreement with the main points of the Anglo-U.S. resolution, because it appeared to meet the main points advanced by the two parties to the dispute.

"The present dispute is a factor of instability in the sub-continent," Mr Sarper said. "It is gratifying to note that so far as the principle is concerned no difference exists between the two parties. Both are agreed that the future of the people of Jammu and Kashmir should be settled by an impartial and fair plebiscite."—

Mr Sarper said the main lines of the dispute seemed to have narrowed down to matters of procedure and he could not believe these differences were irreconcilable.

The Council's action during the last three years, towards a lasting solution of the Kashmir dispute, had been by no means fruitless and this resolution was another attempt in that direction.

Mr Sarper said his delegation's sole objective was to bring about a just and amicable solution of this dispute.

"We are aware that such a solution can only be brought about if the parties themselves adopt a just, reasonable and realistic attitude towards this resolution and we have no doubt that they will."

M von Balluseck (Netherlands) said the Anglo-U.S. resolution represented "a new and we think fair effort" to find a solution. If left unsolved the problem might seriously endanger peace and stability in a vital part of the world.

He said the resolution endeavoured to break the deadlock by giving wider powers to the U.N. representative and by formally introducing the element of arbitration, now that it had become evident that other peaceful means had been unable to produce adequate results.

M von Balluseck said the past three years had shown that a basic difference of approach prevented the parties, if left to themselves, from composing their views. He said only the people of Kashmir themselves through a fair plebiscite free from fear or intimidation ought to make the choice of affiliation to one nation or another.

The Netherlands would support the Anglo-U.S. resolution "in the fervent hope that it may succeed in giving the people of Kashmir what they want, and in bridging the gap which now separates the two countries."

The Council adjourned until 3-30 p.m. G.M.T. today,—P.T.I.-Reuter.

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## SECURITY CO
## DEBATE

**Continued from page**

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## HOME FOR DISPLACED KASHMIRI WOMEN

The Government of India have decided to transfer the administrative control of the home for destitute displaced Kashmiri women and children at Farash Khana at Jammu to the Kashmir Government.

The Government of India have, however, informed the Kashmir Government that the Centre would continue to bear the expenditure on the home.

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The Hindustan Times

SATURDAY, MARCH 3, 1951

# APPEASING THE AGGRESSOR

Mr B. N. Rau has left the Security Council in no doubt as to the attitude of his Government towards the resolution on Kashmir tabled by Britain and the United States of America. The Government of India, he informed the Council, were wholly unable to accept those proposals as a basis nor could they agree to vest in a new representative the power of decision in so vital a matter. On the principle that the more vociferous the shouting the greater the chances of others accepting her *bona fides*, Pakistan propaganda had been contending that while she herself had been more reasonable and made concession after concession it was India which had been intransigent and refused to budge an inch. When India brought before the Council complaint of Pakistan assisting the invading tribesmen, the latter stoutly denied it but as soon as the U.N. Commission came to the subcontinent she admitted not merely assistance to the tribesmen but the active presence of Pakistan troops within the territory of Kashmir. If India acquiesced in the Commission overlooking the fact and proceeding with its work, it was in the hope of bringing about a pacific settlement of the whole dispute. But the Commission had no doubt in its mind of Pakistan's guilt and, consequently, laid down as the first condition of a truce the withdrawal of Pakistan troops from Kashmir. Though Sir Owen Dixon also had given his verdict on the fact of aggression by Pakistan, she has so far not withdrawn her troops from the State. On the other hand, as Mr Rau has told the Council, India has reduced her forces in Kashmir by 20 to 25 per cent.

Not only has this fact been ignored by the Anglo-American resolution but the other principle on which the Government of India had always acted and which the U.N. Commission had also accepted, that the Abdullah Government constituted the only legally established Government of the State, has also been given the go-by. This Government was and is functioning and all attempts to dislodge it by discontented elements within and intervention from without have failed. It is an accepted principle of international law that a rebel régime would become entitled to recognition only after it had successfully established its authority over the whole country. And this the so-called "Azad" Kashmir Government has not succeeded in doing, in spite of Pakistan's assistance. Implicit in the resolution is the somewhat amazing assumption that while there is no obligation on those who are illegally occupying a portion of the State to withdraw, restraint must be placed on the legal Government of the State in order that those who wanted to destroy it forcibly may be satisfied about the creation of satisfactory [illegible] resolution proceeds on the as-

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the resolution proceeds on the assumption that the difference is one between India and Kashmir and this can be resolved by external arbitration, over the head of the Kashmir Government. It is this assumption which is responsible for the objection that the convening of a Constituent Assembly to decide the future constitution of the State would be a violation of the previous U.N. resolutions. Mr Rau made it clear that so far as the Government of India were concerned the Kashmir Constituent Assembly would not prejudge the issues before the Security Council. But while the Council proceeds in its leisurely way from year to year, it is too much to ask that Kashmir should do nothing in the sphere which falls within its purview to bring into being a properly elected legislature to which the executive could be made responsible. It is significant, as Mr Rau has pointed out, that the resolution makes no mention of the excited propaganda being carried on in Pakistan calling for a *jehad* or holy war.

Nor is this all. The resolution contemplates the bringing in of foreign troops into the State. Indian troops went into Kashmir at the invitation of the régime which had been there for about a century, while Pakistan sent in her troops in an act of stealthy aggression. And because the Council is unable to induce the aggressor to withdraw, it proposes the additional complication of other troops being brought in. Mr B. N. Rau brought in the analogy of Cyprus. In Korea too we have an example of what happens to a country when foreign troops enter it. So far the Kashmir issue has been kept out of the field of Big-Power controversy. To drag it into this arena is to no one's [illegible] of all the interests in Kashmir. To

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HINDUSTAN TIMES, Mond

# CHANGES IN NEW PLAN FOR KASHMIR LIKELY

## Security Council Waiting For Pakistan's Views

LAKE SUCCESS, March 4.

BRITAIN and the U.S.A. will pay particular attention on Tuesday when Pakistan is due to give her views to the Security Council on the joint Anglo-U.S. proposal for a solution of the Kashmir issue.

Changes in the resolution may be made after Pakistan has expressed her opinion, it is believed.

Security Council sources believe changes are bound to come in the light of India's uncompromising rejection of the Anglo-U.S. plan.

There is always the possibility that another member or members of the Security Council other than Britain or the U.S.A. may come forward with amendments to meet the situation after the contending parties have both made known their views.

The official attitude of Britain and the U.S.A. in presenting their joint proposal was that they did not want to try to prejudge the debate in any way and that alterations in the draft might be made to meet developments.

A point which may weigh heavily in any negotiations over changes in the resolution is the attitude of the U.S.A. that any agreement must be acceptable to both India and Pakistan.—P.T.I.-Reuter.

## KASHMIR REFUGEES MEET REHABILITATION MINISTER

(By Our Staff Correspondent)

A deputation of Kashmir refugees have met Mr A. P. Jain, Rehabilitation Minister, and Mr Tandon. They suggested a scheme of permanent rehabilitation of Kashmir refugees in India, pending a final settlement of the Kashmir dispute. They expect to meet the Prime Minister and the Minister for States shortly.

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# LEGAL POSITION OF KASHMIR
# C. A. EXPLAINED BY B. N. RAU

LAKE SUCCESS, March 2.

IN the Security Council discussion on Kashmir last night, Mr B. N. Rau explained the legal position regarding the Constituent Assembly for Kashmir.

He said (a brief report of his speech was published yesterday) that so far as India was concerned the C.A. was not intended to prejudge [illegible] issues before the Security Coun[illegible] to come in its way.

H[illegible] the Council his Government w[illegible] wholly "unable" to accept the [illegible] U.S. resolution on Kashmir.

[illegible]ter hearing Mr Rau, who was the day's only speaker, the Council adjourned until Tuesday next when, it is expected Mr Zafrullah Khan will give his Government's views on the resolution.

Mr Rau said Kashmir under the State Government was "gradually settling down to some kind of orderly life."

He suggested the Council "might do worse than follow Sir Owen Dixon's advice and let the initiative now pass back to the parties."

Mr Rau recalled the recommendations made by Sir Owen in his report. He had said it was "perhaps best that the initiative should now pass back to the parties," adding: "At all events, I am not myself prepared to recommend any further course of action on the part of the Security Council for the purpose of assisting the parties to settle between them how the State of Jammu and Kashmir is to be disposed of."

Sir Owen further recommended that the Council should press the parties to reduce the military strength holding the cease-fire line to the normal protection of a peace-time frontier.

"In connection with the last recommendation," Mr Rau said: "I may mention that India has already reduced her forces by 20 to 25 per cent without waiting for any corresponding reduction by Pakistan.

"May I point out that under the resolution of August 1948 and January 1949, it was for Pakistan to withdraw its army first and only thereafter was India to begin to reduce its own forces? Nevertheless, as I have said, India has begun the process without waiting for Pakistan. And India is prepared to continue the process, if Pakistan, on its part, will withdraw its army from the State."

"In this connection, honourable members will be interested in a Press report dated February 20 from Karachi to the effect that Sirdar Ibrahim Khan, former head of the so-called Azad Kashmir Government, has expressed the view that all Indo-Pakistan disputes, including Kashmir could be settled by India and Pakistan between themselves by mutual discussion.

"Nevertheless, departing from these recommendations of Sir Owen, the U.K. and the U.S.A. have placed before us their resolution."

"When, as I have tried to show, the State is gradually settling down to some kind of ordered life, the Security Council might do worse than follow Sir Owen Dixon's advice and let the initiative now pass back to the parties. Within the last few days, the Governments of India and Pakistan have signed a trade agreement in spite of great difficulties; left to themselves they may be expected to come to agreement in other matters also in due course.

"The representative of the U.S.A. has in his speech emphasized his Government's firm belief that "there can be no real and lasting settlement of the Kashmir dispute which is not acceptable to both parties."

### C. A. FOR KASHMIR

Referring to the constituent assembly for Kashmir, Mr Rau said the present legal position [illegible] that Kashmir was a unit of the Indian Federation, subject to federal jurisdiction in respect of the broad categories of defence, external affairs and communications, but completely autonomous in almost all other matters.

"In the autonomous sphere,' he said

[illegible] posals with such modifications as the new representative may deem advisable.

"As I have already pointed out these proposals go back on the agreed resolutions of August, 1948, and January, 1949—the changes being all in favour of the Pakistan army which had entered the State in contravention of international law and against the Indian army which had lawfully entered the State to repel invasion.

"My Government are wholly unable to accept these proposals as a basis, nor can they agree to vest a new representative with the power of decision in so vital a matter."

Mr Rau said the new resolution picked out certain parts of previous resolutions, leaving out other parts to which India attached the greatest importance and which were specifically accepted by the U.N. Commission.

"We are not prepared to go back on all that has been done by the Commission and subsequently with our agreement," he added.

"We are wholly unable to accept any entry of foreign troops in the State or in any other part of India. In view of the provision made by the resolution of August, 1948, and January, 1949, there is no occasion for the use of foreign troops or of special local levies.

### LAWFUL GOVT. OF STATE

"Nor in view of the detailed provisions contained in the resolution of January, 1949, to ensure a fair and impartial plebiscite can we accept any supersession of the lawful Government of the State or any interference with its normal functions.

"It was clearly stated on behalf of the U.N. Commission that the plebiscite administrator could be expected to act reasonably and that the Commission did not intend he should usurp the functions of the State in the field of normal administration and of law and order.

"The sovereignty of the entire State must necessarily vest in the lawful Government of the State and, because of this, it was stipulated the plebiscite administrator should be formally appointed by the State Government. All this was recognized by the Commission.

"There is a tendency in certain quarters to assume that this is just a dispute between India and Pakistan, and that the views of the lawful Government of Kashmir need not be considered. This is a mistaken assumption.

"As I have already said, the authority of the Government of India over the Government of Kashmir is limited to certain subjects; outside that sphere, it can only advise and cannot impose any decision.

### PAKISTAN PROPAGANDA

"While the resolution refers to the proposal for the convening of a constituent assembly, it makes no mention of the persistent and ever-mounting propaganda in Pakistan threatening war and urging a *jehad* (holy war).

"Both India and Pakistan are mildly exhorted to take all possible measures to ensure the creation and maintenance of an atmosphere favourable to the promotion of further negotiations

"Surely the sponsors of the resolution will agree that the constant incitement to war based on an appeal to bigotry and religious passion is bound to vitiate the atmosphere for negotiations.

"While my Government stand by all their own commitments, they insist that all the commitments to India contained in the resolutions of the U.N. Commission and the connected assurances must also be honoured.

"The present resolution will unsettle what has already been settled and if passed would amount to a repudiation by the Council of the U.N. Commission decision previously made with the agreement of the parties and of the Commission's assurances given to India."

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March 3, 1951.

"In the autonomous sphere,' he said, "the State is entitled to frame its own constitution and for this purpose to convene a constituent assembly of its own people." The main purpose of the constituent assembly would be to provide a properly elected legislature for the State to which the executive could be made responsible as in the British parliamentary system of government.

"So far as the Government of India are concerned the constituent assembly is not intended to prejudge the issues before the Security Council, or to come in its way"

**PAST AGREEMENTS**

Outlining objections to the Anglo-U.S. resolution, Mr Rau said in many respects it ran counter to decisions previously taken by the U.N. Commission for India and Pakistan with the agreement of the parties.

He said it departed materially from the provisions of the resolutions of August, 1948, and of January, 1949, to which India had agreed, upon certain assurances, in the hope of securing a peaceful settlement.

Under the resolution of August, 1948, Mr Rau said, Pakistan was to withdraw its troops completely from the State and India was to withdraw the bulk of its forces—not all its forces, but the bulk, a small portion being left in the State to ensure its security.

To remove any suspicion that even this small portion might interfere with the freedom of the plebiscite, provision was made in the resolution of January, 1949, for "the plebiscite administrator to determine in consultation with the Government of India the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite."

"India," Mr Rau said, "was and is prepared to take, in consultation with the plebiscite administrator, all measures that may be necessary to prevent the presence of any such forces interfering with the freedom of the plebiscite."

The two resolutions had made provision not merely for the withdrawal or reduction of armed forces, but also for the freedom of the plebiscite consistent with the requirements of security.

"These two resolutions were agreed to by all the parties," Mr Rau said.

**DIXON PROPOSALS**

"Nevertheless, Sir Owen was somehow led to make proposals for demilitarization which seriously departed from the above agreed scheme.

"At one point he asked for the withdrawal of the forces of the Indian regular army, although the above resolutions never contemplated complete withdrawal; at another point he suggested various purposes for which Pakistan troops might be retained in the State, although the above resolution clearly provided for their complete withdrawal.

"One of these purposes was said to be to ensure the fulfilment of the obligation of Pakistan not to permit tribesmen or other raiders to enter the Kashmir Valley.,

"Considering that the Pakistan army moved into the State in order to give 'more direct assistance' to the tribesmen, honourable members can easily imagine how the alleged purpose was likely to be fulfilled.

"I may perhaps point out at this stage that the obligation of Pakistan under the resolution of August 1948 was to secure the withdrawal of tribesmen from the entire State and not merely to prevent their entry into the Kashmir Valley.

"The resolution before us instructs the new U.N. representative to effect demilitarization on the basis of Sir Owen's pro- [illegible] parties and of the Commission's assurances given to India."

**PAKISTAN'S GUILT PROVED**

Mr Rau said India had brought the Kashmir case before the Council in January 1948, complaining that Pakistan was assisting the invader. Pakistan emphatically denied the allegation, but the complaint and more than the complaint has been proved to be true.

"I hope the fact will be borne in mind," he added, "that in the present case India is the complainant and that the complaint has been proved to be true, not only as originally laid but in an aggravated form."

He said that on May 8, 1948, units of the regular Pakistan forces moved into Kashmir "in contravention of international law."

"One of the grounds for this military operation was a recommendation of the C.-in-C. of Pakistan that an easy victory of the Indian army was almost certain to arouse the anger of the invading tribesmen against Pakistan 'for its failure to render them more direct assistance.'" said Mr Rau.

"Thus Pakistan, not content with assisting the invader, itself became an invader and its army is still occupying a large part of the soil of Kashmir, thus committing a continuing breach of international law. Pakistan has not only occupied large areas of Kashmir in this way, but has also built up subversive local forces and authorities in those areas."

**NO HINDU-MUSLIM QUESTION**

Mr Rau said the Kashmir question was not a Hindu-Muslim question, "as so often represented or misrepresented." India still had Muslim population of some 40 million—the third largest of any State in the world.

Every reasonable safeguard which could be devised for the protection of racial or religious minorities has been embodied in the Indian Constitution now in force.

The present Government structure in India was significant, he said. The Prime Minister was a Hindu; the Deputy Lead who was the Education Minister, was a Muslim; so too was the Minister of Communications; the Defence Minister was a Sikh; the Health Minister was a Christian; the Law Minister and the Minister of Labour were members of the Scheduled Castes.

The nine Governors of States in India included a Muslim, a Christian and a Parsi; the elected Speaker of the largest State legislature in India was a Muslim; India's ambassadors included two Muslims; the Supreme Court included a Muslim judge and a Christian judge; the Chief Justice of the Bombay High Court was a Muslim; and India's fighting forces included Muslims, one of them a general.

Of the Cabinet of seven in the lawful Government of Kashmir, which was administering Kashmir affairs, the Prime Minister and four of his colleagues were Muslims.

The Jammu and Kashmir National Conference was also predominantly Muslim. This organization decided that Kashmir should remain in India.

**INDIA NOT INTRANSIGENT**

Mr Rau said reference had been made in Sir Owen Dixon's report and in some of the speeches in the Security Council to "India's rejection of this or that proposal and an impression might have been created that India has been intransigent."

"On analysis this so-called intransigence will be found to be no more than an insistence on pledges already given to India, particularly on questions relating to the security of Kashmir," he added.

The Indian Government merely reflected Indian public opinion, he said. "And on this question of Kashmir Indian public opinion cannot forget the fundamental facts: namely, that India voluntarily offered a plebiscite under U.N. auspices; that in spite of this, Pakistan chose to invade the State and occupy nearly half of it by force in violation of international law, as Sir Owen Dixon himself has found; that to allow this occupation or its fruits to continue is wrong enough; and that to grant Pakistan any further concessions would be to aggravate the wrong and therefore completely unjustifiable."

**A PARALLEL**

"The Council may better appreciate the position if I were to cite a rough parallel. The island of Cyprus, once under Turkish suzerainty, is now British territory. Nearly 80 per cent of the population is Greek; it is said they desire union with Greece.

"So far, the British Government has not agreed to any plebiscite, but suppose it should be so generous as to agree to a plebiscite under U.N. auspices.

"Having got this concession, suppose (if I may make so unlikely and unfair a supposition) Greece were to move an army into Cyprus and occupy half of the island for several years; then say: 'the plebiscite must be held with half the island under Greek local authorities—the British security forces must be removed—even the British administration must be supplanted etc.'

"Does anyone doubt how Great Britain would view such an attitude?"

The root cause of the present trouble, Mr Rau asserted, was "the unlawful occupation of nearly half the State and the creation of subversive forces and authorities therein by Pakistan."

So long as that was allowed to continue, there could be no solution of the problem.

"Meanwhile, the Government of this State has to be carried on in accordance with law if there is to be no anarchy or chaos," he added.

Mr Rau said conditions in Kashmir, according to one of the latest reports of the Kashmir Government, were such that, in spite of the difficulties created by the tribal and Pakistan invasions, the present regime "has been functioning with credit during the last three years."

"Any neutral visitor to Kashmir—and there are many such during the tourist season—can satisfy himself as to the facts of the situation," declared the chief Indian delegate.

Mr Rau was the only speaker.

The Council adjourned until Tuesday next, when, it is expected, Mr Zafrullah Khan will give Pakistan's views on the Anglo-U.S. proposals.—P.T.I.-Reuter.

## U.N. COUNCIL MEMBERS STUDY INDIA'S CASE

LAKE SUCCESS, March 2.—Members of the Security Council were today studying India's statement that it was "wholly unable to accept" the Anglo-American proposal for a settlement of the Kashmir dispute.—P.T.I.-Reuter.

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# INDIA REJECTS ANGLO-U.S. MOTION ON KASHMIR

## Past U.N. Pledges Will Be Nullified

## RAU'S DECLARATION IN SECURITY COUNCIL

## Debate Adjourned Till Tuesday

LAKE SUCCESS, March 1.

INDIA today rejected the Anglo-U.S. proposals for a solution of the dispute between India and Pakistan over the future of Kashmir. Mr Rau told the Security Council at the resumed debate that his Government was "wholly unable" to accept the Anglo-U.S. resolution.

Mr Rau declared the resolution would unsettle what had already been settled. He added that if passed it would amount to a repudiation by the Security Council of decisions previously made by the U.N. Commission with the agreement of the parties and the Commission's assurances given to India.

Britain and the U.S.A. have introduced a joint resolution calling for the appointment of a new representative in Kashmir, the withdrawal of Indian and Pakistan forces from the State, and the holding of a "fair and impartial plebiscite" to determine Kashmir's future.

It has also been proposed that a force provided by U.N. members, or raised locally, might be made available to maintain order before and during the plebiscite.

Mr Rau is this month's President of the Council, but as India is interested in the Kashmir dispute, he stepped down from the chair at the beginning of today's meeting.

In accordance with the Council's rules M D. J. von Balluseck (the Netherlands) presided instead.

M von Balluseck, was due to follow Mr Rau in April in the normal monthly alphabetical rotation.

Mr Rau said Kashmir under the State Government was "gradually settling down to some kind of orderly life."

He suggested the Council "might do worse than follow Sir Owen Dixon's advice and let the initiative now pass back to the parties."

"Within the last few days, the Governments of India and Pakistan have signed a trade agreement in spite of great difficulties. Left to themselves, they may be expected to come to agreement in other matters also in due course," he added.

The Council after Mr Rau's speech adjourned discussion of the Kashmir issue until Tuesday.—P.T.I.-Reuter.

## *A One-sided Show*

LONDON, March 1.—The London County Council revised today its yesterday's decision not to allow a pro-Pakistan film on Kashmir without a picture of the Indian point of view in Kashmir being shown with it.

The L.C.C. has now agreed to the unconditional showing of the film until mid-April.

Mr Victor Mishcon, Chairman of the Council's public control committee, said this did not mean that the Council had changed its mind about the decision to ban the film from public showing during the Festival in Britain unless the opposite side of the question was shown in the same programme.

The Council announced its decision yesterday saying it had been taken because visitors from all over the Commonwealth would be visiting London this year and that "considerable unpleasantness" might result if the contrary views on this problem were not put forward. The festival officially begins in May.

The makers of the film last night saw Mr Mishcon and said while they appreciated the reasons for the Council's decision during the festival period, they hoped the L.C.C. would agree to the unconditional showing of the film at any rate until mid-April.

Mr Mishcon said it could be done. The film will be shown tomorrow.—P.T.I.-Reuter.

### NAZIMUDDIN WELCOMES INDO-PAKISTAN PACT

KARACHI, March 1.—Khwaja Nazimuddin, Governor-General of Pakistan, welcomed the Indo-Pakistan trade agreement today.

Addressing the second annual meeting of the Associated Chambers of Commerce of Pakistan, he said: "There is an undertone of anxiety in your chairman's comment about the disposal of jute in the absence of India. Events should prove this to be unfounded. My Government has never contemplated India could, or would, remain completely out of the Pakistan jute market and I hasten to welcome the return of her customers on a major scale and on the usual trading basis".—P.T.I

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T TIMES, Wednesd ay, April 4, 1951

## U.N. KASHMIR DECISION CONDEMNED

**(By Our Staff Correspondent)**

The Foreign Relations Society of Delhi in a statement strongly criticizes the U.N. Security Council resolution on Kashmir as it "clearly puts a premium on unashamed and naked aggression committed by Pakistan on Kashmir."

The resolution seeks settlement by arbitration, a method which was rejected by the Security Council in its earlier resolutions.

The Society points out "an arbitration without the agreement of both the parties to a dispute is unknown to any juridical principles." Such a proposal could serve no useful purpose and would lead to dangerous consequences.

Analysing the motives behind the resolution, the Society states: "Considerations other than those of justice and fairplay have found favour with those who were expected to uphold the rule of law for maintaining universal peace and harmony."

Whole-heartedly supporting India's rejection of the arbitration proposal, the Society appeals to the U.N. "not to resort to the evil of Power politics in solving international disputes and problems." U.N. should strive to build a standard of trust and confidence in the world on sound principles of law and justice for promoting peace and prosperity of mankind.

## KASHMIR TO RESIST U.N. RESOLUTION

SRINAGAR, April 3.—Pandit Prem Nath Dogra, President, All-Jammu Kashmir Praja Parishad, said at a meeting here yesterday the people of the State who were being made a "pawn in the international game of power politics" were determined to resist implementation of the resolution of the Security Council by all constitutiona means like non-co-operation and pro tests.

People of the State, he said, fully supported the stand taken by the Government of India. "According to all canons of justice the State is a part of India because its ruler with the consent of the people has acceded to India." he said.

Vehemantly opposing the proposal of withdrawing Indian troops from the State, he said their presence in the State was in the interest of safety and security of the people. Pakistan was threatening Kashmir with *jehad* every day and withdrawal of troops would be just "throwing a lamb before a man-eater."

He said a plebiscite was inconsistent with the legal and constitutional position of the State in view of its cor ccession to India.—P.T.I.

# PAKISTAN ACCEPTS NEW RESOLUTION

LAKE SUCCESS, April 2.

MR ZAFRULLAH KHAN told the Security Council today his Government accepted the Anglo-U.S. resolution on Kashmir in all its parts and aspects.

order"

Mr Rau inquired whether
sary for the Council to pu
matters which were already
He drew attention to the
Zafrullah had been invited
under the rule which allows
to invite an interested part
not a member, to sit at the
take part in the discussion wi
"The discussion of the Inc
question as particularized in
was closed when the vote w
said Mr Rau, "and even a
the Council has at this stag
make any further speech exce
for the purpose of explaining
Mr Rau argued that in inv
Pakistan Foreign Minister to t
cil table today, he was given a
that even a Council member
enjoy.
"Pakistan has no vote to
he added, "and having been a
state his Governments views,
he confines himself to that pu
would not but be in order for
into matters of controversyv
could have chosen to do before
was taken."

Mr Zafrullah resuming said
defer to the Council's wishes ar
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lution and was beginning to say
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Mr D. J. Von Balluseck (Nether
said the issue in the debate had
closed by the acceptance of the r
tion and Mr Zafrullah should c
himself to explaining his Governi
attitude to the accepted resolution.
Mr Zafrullah said the Pakistan
ernment accepted the resolution
its parts and aspects. He said it w
only course consistent with Pak
honour.—P.T.I.-Reuter.

Mr Zafrullah Khan added the Pakistan Government was determined to give the fullest co-operation to the U.N. representative who might be appointed by the Security Council. Should an arbitrator be appointed, Pakistan would give their full co-operation.

After Mr Zafrullah Khan's speech the Council adjourned until definite suggestions were forthcoming for candidates for the post of U.N. representative in Kashmir.

Mr Zafrullah said the Pakistan Government "deeply appreciated the efforts of the Security Council towards resolving the deadlock." They particularly noted "the emphasis quite rightly and quite fairly laid down in the resolution of the U.N. Commission of January 1949 on the principle that the question of the accession of Kashmir to India or Pakistan must be decided through the democratic method of a free and impartial plebiscite."

He said that was the whole question at issue between the parties to the dispute. It had been recognized the plebiscite could not be held in the presence of troops of the parties or without effective U.N. control.

This agreement between Pakistan and India established the right of complete and free self-determination of the people of Kashmir.

It also established the authority of the Council to see that this right to self-determination was effectuated.

"In resolving the dispute let us hope the Council's effort in passing the resolution on Friday will ultimately eventuate in the people of Kashmir determining the future of Kashmir on the basis of a free and impartial plebiscite," he said.

It was the duty of the Security Council, no matter what obstruction was raised, to see that the implementation of the international agreement was carried ou

Before the vote was taken on the re lution the Indian delegate had ra certain points. Mr Zafrullah said he no desire to enter into controversy those points.

For the purposes of the record h ed to make clear that the Pakista ernment did not accept those p said he proposed to indicate

**Continued on back page**

## Preamble

## Chapter I

1. It is perhaps advisable not to use the expression "continued to remain acceded to the Union of India etc." True the report of the Basic Principles Committee dated 16th Feb. 1954 states so. But we have perhaps advanced much further today and it seems to me desirable to declare it clearly that our State is an integral part of the Union of India as any other State of the Union.

2. Such declaration will not in any way prejudice our enjoyment of a larger measure of autonomy than other component States of the Union of India. It, therefore, seems desirable to enact in the very first clause of our Constituion that the State of Jammu and Kashmir is one of the State of the Union of India which is a Sovereign Democratic Republic. The mere fact that Art. 1 of the Indian Constitution provides that our State is one of the States of the Union of India does not seem to my mind sufficient in the present international context to dispense with the need of our Constituent Assembly also declaring it to be so. It is likely to be alleged in some international forum that the Constituent Assembly of Jammu and Kashmir State has itself not declared the State to be a part of India. It is well to note in this connection that even the Constitution of Pakistan appears to have made some provision for treating Jammu and Kashmir State as part of Pakistan. Therefore, it seems to me to be quite necessary to declare unequivocally that our State is one of the States in the Union of India working within the frame-work of the Constitution of India and subject to the provisions of the Constitution as applied to it and functioning enjoying the measures of autonomy which the provisions of our Constitution conferred.

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The preamble may perhaps be simplified as followsd-

" We, the people of the State of Jammu and Kashmir after having solemnly resolved to constitute our State as one of the States of the Union of India which is sovereign democratic Republic , in our Constituent Assembly this _____day of _____month _____year , do hereby adopt, enact and give to outselves this Constitution."

Clause (2) It may not be constitutionally correct to say that sovereignty of the State rests in the people thereof as clause (2) says. The reason is that the State is a part of the sovereign democratic Republic of India. It will be wrong to claim sovereignty for our State so long we remain part of India. Such a claim will be opposed to constitutional practice and as well as theory. It does not also seem to be necessary to mention about sovereignty of the State residing in the people etc. We may adopt the scheme of the Constitution of India which was the same as that of the Government of India Act, 1935 and have a list of subjects on which we can legislate. Those subjects on which the Parliament alone can legislate today in respect of our State may be put in a separate list. We may expressly residuary powers ourselves.

CHAPTER II

Permanent residents. Article 35A as applied to our State by the Constitutional Order 1954 runs as follows:-

"35A. Saving of laws with respect to permanent residents and their rights:- Notwithstanding anything contained in this Constitution, no existing law in force in the State of Jammu and Kashmir, and no law hereafter

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enacted by the Legislature of the State,-

(a) defining the classes of persons who are or shall be, permanent residents of the State of Jammu and Kashmir; or

(b) conferring on such permanent residents any special rights and privileges or imposing upon other persons any restrictions as respects-

(i) employment under the State Government;

(ii) acquisition of immovable property in the State;

(iii) settlement in the State; or

(iv) right to scholarships and such other forms of aid as the State Government may provide

shall be void on the ground that it is inconsistent with or takes away or abridges any rights conferred on the other citizens of India by any provision of this Part."

In view of this Art. we may perhaps make separate legislation in respect of permanent residents. This would give us more time to consider the matter and is 'certainly more important to make for greater freedom and elasticity of legislation and make the Constitution less burdened.

We have also to ensure that a person who is not a resident of India, does not become a permanent resident of the State. The Explanation to draft clause (3) may,it seems, admit of different results. This Explanation is more or less an adaptation of the second proviso to Art. 7 of the Indian Constitution as applied to Jammu and Kashmir State. But the scope of the proviso can well be urged to be confined to crucial date of 26-1-1950. In any event it is desirable to guard against possible embiguities in interpretation. It is difficult to say that incorporate company is a citizen under Part II of the Indian Constitution . It does not therefore, seem to be appropriate to deal with a company as clause 4 does and confer on it the status of 'permanent resident". We may well deal

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this subject on by separate legislation instead of making it a part of the State Constitution. It may be noted that clauses 5 to 7 also contemplate such future legislation. The expression 'prior to the date of such commencement " occurring in clause (3) (b) is by no means clear because that clause does not mention commencement of anything much less the date of such commencement. These remarks apply also to clause 4 which ends with the words "at such commencement." I would suggest that the entire part relating to permanent residents may well be omitted.

CHAPTER III

The draft Directive Principles of State policy (circulated separately) widely depart from the Directive Principles of the State policy embodied in Part V of the Constitution of India.

There has been criticism in some quarters that the Constitution of India itself is too long . It has been criticised as the longest constitution in the world and has provided for even details which have been left to the administration and democratic tradition to work and establish. But the draft Directive Principles circulated now seem much more voluminous, detailed and tendentious. Some of the critics have gone to the extent of pointing out that even the Directive Principles need not be embodied in the Constitution . But we may perhaps follow the precedent of the Indian Constitution and enact separate Directive Principles faithfully on the lines of those contained in the Constitution of India.We should not make Directive Principles controversial now should we permit them to partake one particular ideology or the other. They should contain only universally acceptable principles and should not be made vehicle of one

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school of political though or the other. The Directive principles should be welcome to all political parties equally and should not weighted in favour of any particular party.

## Chapter IV

Clauses 9 to 21

Clauses 9 to 21 of this Chapter relate to the appointment ,removal, powers, terms of office, emoluments etc. of the Sadar-i-Riyasat. The expression "Sadar-i-Riyasat" is not innocuous.It merely means the Head of the State. But the draft provisions relating to his appointment,removal and of his relations with the Union Government etc. do very widely differ from those relating to Governor of Part A States and of Rajpramukhs of Part B States in the rest of India. It may perhaps be somewhat controversial as to whether the provisions in this regard in our State should not be identical with those in the other States of India. This takes us to consideration of the merits, if any, which the draft provisions can legitimately claim over the relevant provisions contained in Art. 153 to 162 of Part VI of the Constitution of India relating to Governors and in Art. 238 in Part VII of that Constitution relating to Rajpramukhs . After having considered the matter much carefully I am not able to find any great merit in the draft provisions which the corresponding portion of the Indian Constitution does not possess. It may be that there is some sentimental value in having the Head of the State elected by the legislature of the State but in actual practice and in certain contingencies, it may lead to embarrassing difficulties. There is also some anomaly in the draft provisions, namely clause 11(2) says that Sadar-i-Riyast shall hold office during the pleasure of the President. But clause 18 provides for that his impeachment and sub-clause (5) thereof

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provides for his removal successfully by impeachme by the State legislature. I am ~~imp~~ afraid ~~this~~ provision for removal by impleachment ill-accords with clause 11(2) according to which the Sadar~~i~~-i-Riyasat holds office during the pleasure of the President. It is also a little incongruous to have Sadar-i-Riyasat elected by the Legislature and his appointment being left to the President. ~~The~~ No doubt the part of the provision uses the expression "recommendation of the legislature". But I ~~dnm~~ do not think it is politically sound to put the President in a embarrassing situation of having to reject the recommendation of the legislatur which is in fact a fulfledged election of the members of the legislature. It will be equally inconvenient for the President to have to accept the so called recommendations of the legislature even when he is satisfied that the person elected by the legislature is unfortunately not right and proper person. I feel that the draft provision seems to compromise un-happily with the position of the President and of the legislature and in real politics and constitutional practice I am unable to see any great advantage in this rather unique procedure which stands out in isolation in the whole of India./ If all the major States of India can have a Governor appointed by the President and function democratically and successfully I see no reason why the same practice should not be adopted in our State also. Any apprehension that such a Governor may pull in the different direction or may prove to be somewhat thorn in the side of the Government of the day , can without fear of contradiction be rejected out-of-hand as unfounded and unwarranted by facts. On the contrary such a Head of the State as Governor has ~~B~~een found in many of the progressive State of India to be ~~a~~ of unifying and protecting influence for the good of the State and also a symble of united

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and healthy democratic traditions of the Union of India. Never has it happened that a Governor has sought to encroach upon the essential field of administration or to refrain from imparting to the administration necessary strength of cementing influence and dispassionate counsel. I do not think, that we should continue this fine useful institution which has grown up in the rest of India. The provisions in the Indian Constitution relating to the appointment etc. of the Governor may, therefore, faithfully be adopted by us. If necessary we may say that the Governor of the State shall be appointed by the President in consultation with the Government of the State. If we can say that the Sadar-i-Riyasat should be a person recognised as such by the President , we can also say that he should be a person appointed as such by the President . In constitutional prindple both these stand on the same footing. It may be idle for us at this stage to contemplate the unlikely contingency of the President refusing to appoint a Governor or refusing to recognise a person as Sadar-i-Riyasat . Now we shall be making quite unpalatable hotch-potch of taking out a few Articles of the Indian Constitution and building on and round them more or less incongruous provisions of our own.

The draft clause 10(1) runs as follows:-

" Aceept in regard to matters enumerated in list I in the Schedule to the Constitution of India which respect to which the Parliament of India has power to make laws for the State, all rights, authority,and jurisdiction which appertain or are incidential to the Government of the territories of State of Jammu and Kashmir shall be exercisable by the Sadar-i-Riyasat in accordance with the provisions of this Constitution."

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This provision is not only widely worded but also is likely to lead to difficulties in actual working for rights, authority and jurisdiction which appertain or are incidential to the Government of the State , are not defined and their exercise by the Sadar-i-Riyasat is not delimited. This clause which is more or less an expract from the Jammu and Kashmir Constitution Act, 1996, can well go. It will be sufficient if we say that the executive powers of State shall vest in the Governor or the Sadar-i-Riysat and that the executive powers of the State subject to the provision of the Constitution shall extend to matters with respect to which the legislature of the State has power to make laws. Please see Articles 154(1) and 162 of the Indian Constitution. There is no need to make mention of the powers of the Parliament when we say that the powers of the Head of the State is confind to such matters in respect of which the State legislature can enact laws.

If the Sadar-i-Riyasat holds office during the pleasure of the President , it will also be open to the President to remove him whenever he likes. Of course such an action will only take only on good and weighty grounds. It will always be open for the Government of the State to get a bad Head of the State-Governor, removed by the President. It will be quite wrong to imagine that the President which really means the Government of the Union of India will not pay effective heed to the wishes of the concerned State in this regard. The provisions for impeachment may therefore be omitted.

By our adopting the institution of the Sadar-i-Riyasat or the Governor whatever be the designation, we do not at all try to clothe him

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with any real power. He will remain merely a titular Head in the real Government of the country and will not and cannot according to the constitutional theory and practice interfere in the administration . It will be carried on entirely and exclusively by the Council of Ministers (Cabinet) This is what has been happening in the Central Government and State Governments in the rest of India.

I may not touch on minor drafting details as they are not of much importance at this stage. If we give the decision on the main structure of the Constitution the drafting part of it may not present any serious difficulty.

Clauses 22 to 33

The draft clauses 22 to 33 refer to the Council of Ministers etc. But the heading of this draft clause is give as " the Government" . I do not think, it is necessary or correct to have such a caption, as in the Constitution of India the head of this provision is " Council of Ministers

Clause 22 which says that there shall be a Council of Ministers at the head to aid and advice the Sadar-i-Riyasat in exercise of his functions is good and sound adapation of Art. 163(1) of the Indian Constitution.

Clause 22(2) is also unobjectionable and although even its absence will not according to correct constitutional practice lead to different results. However Art. 36 written in ink in clause 22(2) does not appear to be correct as clause 36 relates to the composition of the Legislative Assembly ( in this context I may mention that we may refer to the provisions of our Constitution as sections instead of Articles so that we may avoid the confusion between the Articles of the Indian Constitution and the Articles of our State Constitution. I would, therefore suggest that

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the word "Article" wherever it occurs in the draft be substituted by the word'section".

Clause 22(3) is reproduction of Art.163(3).

Draft clause 23(1) differs from its counter-part Art.164(1) of the Indian Constitution in two important respects. Art.164(1) runs as follows:-

" The Chief Minister shall be appointed by the Governor and/other Ministers shall be appointed by the Governor on the advice of the Chief Minister; and/Ministers shall hold office during the pleasure of the Governor." Draft clause 23(1) say that the Sadar-i-Riyasat shall appoint the person enjoying the confidence of the Legislative Assembly as Prime Minister.( Incidentally this provision does not conform well with the State having a legislative Council also which may contain majority members of the same party to which the choosen Prime Minister belongs) I may leave the choice of the Prime Minister to good democratic and constitutional traditions which has already grown well firmly in the rest of India. There can be no doubt that the Head of the State will choose only that person who has the largest following in the legislature as Prime Minister. It is therefore not strictly necessary to say that expression in the Constitution itself. In a case where there are a number of splinter parties and the largest of them has only a numerical strength of 2 or 3 in excess of the largest party, and where the combination of all the less majority parties would exceed the single majority party, the Head of the State obviously be left to choose the leader of the Single majority party as the Prime Minister. But only if he is confident that such party can successfully run the Governmen

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without being all-to-soon by terminating the combination of the lesser parties. In such cases a provision that he shall choose as Prime Minister only the person enjoying the confidence of the Legislative Assembly may not be helpful, on the contrary it may prove to be a read difficulty in his way. If this point of view is agreed to , the draft clause 23(1) may be the same as relevant part of Art. 164(1). The other point of view of difference relates to x Minister holding office during the pleasure of the Governor. It has some-times happened that someone Minister in the Cabinet rabbles or revolts and makes it inconvenient for rest of his colleagues and the Prime Minister to carry on the administration properly and well. ~~The~~ In such cases the Prime Minister advises the Head of the State to remove the offending Minister and it is done with ease and constitutional propriety under Art. 164 (1). But that Art. will not be used by the Head of the State arbitrarily or maliciously because if he thinks of doing so , he will be asked not to do so by the President and if he does not in spite of it, he will be removed. There may also be an exceptional case of emergency where the Head of the State may have to exercise the power of dismissing the Council of Ministers in order to form another homogeneous Council of Ministers. In short, this provision while being useful in an extreme case, can be trusted not to be invoked at allx in normal times or wrong purpose. If this is agreed to, a separate sub-clause may be inserted saying that the Ministers shall hold office during the pleasure of the Sadar-i-Riyasat or Governor.

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Kashmir's Special Status

Jammu Kashmir State acceded to Indian Union in 1947 in accordance with the British Independence Act. But in view of the "peculiar conditions", this State was granted temporarily special status in the country under Article 370 of the Constitution. What were those peculiar conditions, have never been explained. And the temporary provision in the constitution still exists even after 20 years.

In name of the special status of the State, strange things continue to happen in Jammu and Kashmir. People's democratic rights have been curtailed to suit the political ends of the ruling party leaders, who so-ever came in power developed vested interests and became adament to retain this position.

Under the present position all other Indians, except the people of Jammu Kashmir, have been denied rights of citizenship. Even the families of those soldiers can not purchase a piece of land or can be the voters in the State, who had shed their blood and lost their lives in defence of this part of the country. This State has been made to develop a strange part of India, where even the President of the country cannot have the rights of citizenship, if he and his forefathers were not born in the State.

In name of special status of the State hundreds of crores of rupees have been drained in this part of the country. This hard earned money of the Indian public exchequer had hardly helped in ameliorating the lot of common man in the State.

All laws and rules in this State apply and run at the whims of a few individuals. Policies of appeasement are being pursued, even in dealing with those who act as enemy agents and saboteurs.

Communal and regional feelings have weighed high with the ruling people, contary to the basic concept of

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of our democracy and spirit of Indian Constitution. This thinking on part of ruling people have resulted in regional and communal imbalances in the State to the extent of creating dangers for the unity of the various regions of the State and its people.

Democratic process strangled.

No pro-India opposition has been allowed to function freely in the State particularly in the Vale of Kashmir. Elimination of opposition in Kashmir has had been systematic. But this approach have brought in sharp division of the State people into pro-India element represented by the Congress and the secessionists who are represented through the parties like Plebiscite Front, Awami Action Coimittee, ~~xxxxxx~~ Political Conference. While no pro-India party including the Jana Sangh, the P.S.P. and others, are free in holding their public meetings, no such bar exists on holding public meetings or demonstrations for secessionists.

This bar on functioning of opposition has been with the support and backing of New-Delhi, about which the people came to know publically about two years back when Mrs ~~xxx~~ Indra Gandhi made no secret and ~~xxid~~ told to a reporter that "peculiar conditions prevailing in Kashmir hardly require functioing of any opposition in the State".

These remarks of Mrs Gandhi were strongly resented by Jana Sangh and National Conference members in and outside the State Assembly.

Finding no other ~~xxy~~ out-let, people dis-satisfied with the Government leaders, in the natural process rally around the anti-India and secessionist parties. In other words the secessionists and anti-India elements in Kashmir are drawing their strength from New-Delhi policies.

Besides creating hurdles in the way of free functioning of pro-India opposition, the democratic institutions in the State, have been put in a ridiculous position.

Much have been said and heard in and outside Parliament about rigging of general elections in the State. There has

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never been fair play in all the past four elections. Even the first general elections which were held under the steward-ship of Sheikh Mohammed Abdullah were not free. In these elections extreme type of irregularities and highhandedness were committed. The Praja Parishad was the only opposition in the field. Out of 64 nomination papers filed by the Parishad nominees, 39 were rejected on flimsy ~~gx~~ grounds making unopposed success to as many as 59 candidates of the ruling party for the house of 75 members. Praja Parishad leaders had left no choice but to boycott the elections.

The position of local bodies in the State is rather amazing. Provision has been made for Municipal Councils for the three major towns of the State. These are Srinagar, Jammu and Poonch. After the independence, only once in 1956 Municipal elections were held. But within four years of the elections the elected bodies were superseded and administrators were appointed to look after the civic administration of Jammu and Srinagar towns. In Poonch the entire Municipal Council was nominated including the Chairman.

Mr. G.M. Sadiq while taking over as Chief Minister of the State, in his policy statement had declared that much delayed Municipal elections would be held "within this year".

Now about five years have passed but the Municipal elections have still not been held inspite of repeated assurances in the State Legislature every year to hold these "very soon".

Similarly no elections have been held for Town Area Committees and Panchayats. There are about thirty Towns in the State but in all the towns either ~~xxxxxxx~~ Government nominated Committees are functioning or administrators are looking after the civic affairs, which are obviously far from satisfactory. Panchayat elections are over due by over eight years. Most of the Panchayats ~~xxxxx~~ consisted of nominated members and several members of which are involved in corruption and other criminal cases. But elections are

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being postponed every year on one plea or the other.

This sort of functioning of democracy in the State is being exploited by the anti-national elements in and outside the State.

Financial Position of The State:

Inspite of receiving fabulous grants and frantic loans from the Centre during past 20 years, the financial position of the State of Jammu and Kashmir, is far from satisfactory.

In addition to Central grants of Rs 103.42 crores since 1955-56, the loans received by the State, starting from 1947-48, have accumulated to the huge total of Rs 190.87 crores, on 31 March, 1968. An amount of nearly five to six crores rupees falls due on account of interest along every year. But the funds have been spent in such a way that more money is required to maintain those works which have been executed without proper planning and requirements of the people.

For instance, at cost of Rs 80 lakhs 23 Industrial Estates have been constructed without any survey and finding out the feasibility. Out of these only two, one in Jammu and the other at Buzla, Srinagar, are being used for Industrial purposes, remaing all the Estates are being used as police lines or school buildings. And some of these are still lying vacant for stray dogs and donkeys with nobody to look after these.

It may be pointed out here that an amount of Rs 17.46 crores that fell due for repayment on account of Central loans, was converted into a fresh loan in January 1965. In his report the Auditor General pointed out that " no arrangements have been made by the State Government for the amortization of loans taken from the Central Government". According to the report, the State Government stated that "it was not possible for them to spare any rescurves for creation of a Sinking Fund or for making anyother suitable arrangements for the amortization of the loans".

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It has been customary with successive Governments in Jammu and Kashmir to react sharply when any reference is made to the accumulating Central loans. "It is our right to draw from Central resources as part of India", they repeat. But, obviously, this does not solve the problem. It repays neither the loans nor the interest, all of which have been accumulating since 1947.

Another unhappy feature of the State finances is that whereas the State contributed 27 per cent as its share in the First Five Year Plan, 12 per cent in the Second Five Year Plan and 6 per cent in the Third Plan, the State Government has expressed its complete inability to make any contribution during the past three year Plan works and also for the Fourth Plan for which the schemes have been chalked out which are estimated to cost Rs 225 crores. And it is being asked that the entire Fourth Plan should be financed by the Centre.

The most disturbing aspect of the State economy as pointed out by the financial experts is the diversion of Plan funds drawn from the Centre to meet the revenue deficit. During past three years nearly Rs 14 crores have been diverted from the capital funds to meet the State revenue deficit.

It may be mentioned here that during the past three Plans the financial assistance to Jammu and Kashmir has been more than double in comparison to other parts of the country. During the Third Plan per capita Central assistance for Jammu Kashmir State had been to the tune of Rs 172 as against the all India average remains to be hardly Rs 61.

While the revenue receipts from the State's internal resources never exceeded from Rs 15 to Rs 16 crores, over Rs 20 crores are being outstanding arrears and loans against some influential people of the State. Nearly Rs 10 crores are pending recovery for the past several years against twentyfive to thirty forest lessees who are closely

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related to or associated with some ruling Congress leaders.

This misuse of public funds by men in power was resulting in not only amassing of wealth by some individuals, but also providing opportunity to anti-national elements to exploit the situation to their nefarious ends.

Law and Order

Jammu Kashmir being a border State, the border of which have been threatened by hostile neighbours, required a strong, efficient and honest administration. It needs that no quarter should be given to enemy agents and persons with doubtful loyalties. But the actual situation runs counter to the requirements.

In the first place recruitments and promotions are made under political, communal and regional considerations ignoring the all merits of qualification, efficiency and honesty.

Posts are created not to meet the requirements of administration but to adjust persons close to the rulingmen. Before 1947, the strength of State employees was 10,000. It went up to 66,000 in 1963-64, when Mr GM Sadiq took over as the Chief Minister. At present the State Government staff strength has gone up to 91,000. During the past about five years 25,000 recruitments have been made. Where one official is needed, more than four have been appointed. There are only 32 Tehsils of the entire State, but nearly 75 Tehsildars and more than 100 Naib-Tehsildars have been recruited.

The pay bill of the State Government amounted to about Rs 20 crores whereas the revenue receipts from its internal resources are hardly Rs 16 crores.

The appointment are made ignoring the seniority of others which obviously causes heart burning and resentment amongst the officials adversely affecting the work.

In this connection there is recent example of an appointment of a Professor in the Medical College Srinagar.

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By-passing the right of about ~~sixty~~ thirty Doctor Specialists, the State Government has appointed Dr. Zahur Ahmed against the post of a professor in the grade of 1000 -1500. His chief qualification is that he is closely related to the Pradesh Congress Chief Syed Mir Qasim. It is the first instance that a new comer has been appointed direct as professor. In earlier cases Doctors with having higher qualification and better experience were appointed as Assistant professors in the grade of 500 - 750. Some of the such Doctors are working now in the college for the past 7 to 8 years. Proposal for promotion of some other doctor against this post was under consideration when Dr. Zahur Ahmed landed in Srinagar on September 20, 1968 and he was appointed for the post leaving behind him the earlier proposal.

Another amazing feature of the situation is that Zahur Ahmed was sent for higher studies abroad on Government expenses but instead of coming back directly to this country, he went to Pakistan where he stayed for about a year in a bid to settle him there.

This arbitrary method of appointments has resulted in deterioration in law and order conditions also. Thefts, dacoities and other crimes are assuming alarming proportions. But the cases against criminals are not pursued properly under political considerations.

For instance, during 1965 Pakistani aggression, some local people in connivance with armed Pakistani infiltrators attacked police post Mahur in Udhampur district of Jammu province. ~~Thirteen~~ Thirteen personnel of the Punjab Police were killed and their arms and ammunition were looted. On complaint by the Pubjab Police, a case was registered against 35 people. During investigation 19 persons were arrested while others absconded. When the ~~same~~ investigations were still in progress, on the interference of a Cabinet Minister, Mohd Ayub Khan, the ingating police officials were mysteriously transferred and new ones were appointed. After one year the case was challaned but

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the remaining 16 accused which included some Congress workers and two Government officials - Mohammed Amin and Ayub Khan - were never arrested. Both of these Government officials later joined their official duty and continued to be present there. One of these, Mohammed Amin was rather promoted from Patwari to the post of Girdawar. They were not arrested even they were declared absconder by the court in which the case was challaned. Police did not bring any proper evidence against those even who were arrested and challaned, was put forth before the court. The court acquitted them. Later about two months back the Govemnment withdrew the case from the court and warrants of arrests got cancelled against those who were declared absconders. And nobody have been punished for the murder and loot of Pubjab Police officials.

During 1966, some demonstrators at time of Arab-Israil hostilities in Srinagar burnt two Churches and damaged property of lakhs of rupees. Great resentment was voiced by the people in and outside the State against this outrageous act of the anti-national element and also against the Government apathy to deal with the demonstrators. On this the State police arrested about forty persons on charge of loot and arson. Case was challaned in the court but the accused got acquitted for lack of proper evidence by the prosecutdon.

During Kashmiri Pandit agitation last year, there had been lot of communal disturbances in Kashmir particularly in city of Srinagar. Some people were killed and several injured as also property worth lakhs of rupees were looted and houses burnt by anti-social and anti-India elements. Police arrested some of the alleged culprits but all of them were later released without any punishment.

There had been dozens of incidents of violence and anti-India demonstrations during the past four years but hardly any person had been punished under law.

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There have been about 200 incidents of fire at various places in the State during past ~~about~~ five years. Besides private buildings, fire incidents had taken place in number of Government offices, ~~and~~ The loss due to fire incidents is estimated more than Rs 10 crores. In many cases sabotage was not ruled out. But there was hardly any case in which saboteurs have been brought to the book.

Many people during the past four years have been arrested and detained on charges of espionag[illegible] instances persons have been brought before any court of law and [illegible] the other hand the spies and saboteurs are detained under preventive detention act ~~xxxx~~ and in jails they are provided ~~facilities of political~~ detenues. In several cases innocent persons were arrested and detained for months together because they were opposed to the ruling Congress leaders.

Large number of Muslims are now ~~xxxxxx~~ joining the Jana Sangh but several Muslim workers of the Jana Sangh are being threatened and put to victimization by dubbing them as ~~x~~ enemy agents. In fact the interogation centre set-up in border area of Rajouri is being more used for political victimization ~~xx~~ and corruption rather than dealing with the saboteurs and Pakistan spies.

Pakistan collaborator finds way in the State Assembly

There are number of examples that ~~xxxxxxx~~ Government officials and political workers who joined hands with Pakistan armed infiltrators during 1965 invasion of ~~x~~ Jammu Kashmir, had not only been let off but got encouraged by the ruling party leaders and the men at helm of affairs. Important of such examples, is that of Mohammed Husaain, now a member of the State Assembly. He was a Block Development Officer in border district of Poonch-Rajouri at time of Pakistan invasion. He disappeared from his duty mysteriously and allegedly became a member of the Revolutionary Council set-up by the invaders in the area. After the war was over and the area was cleared of the Pakistani infiltrators by the Security Forces, Mohammed

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Hussain appeared on his duty. The Special Commissioner Rajouri ordered his suspension following reports from CID and other intelligence sources about the conduct of Mohammed Hussain.

In this connection, a copy of the letter No:1153/RG dated 18.1.66 from the DIG Police Rajouri to the Commissioner Rajouri, reads as under:

" The following information has been revealed in respect of Shri Mohammed Hussain BDO from a [illegible]inste[illegible]al of record received through various agencies. [illegible]he other [illegible]

1- The information of Army circle is[illegible]s the Gov[illegible] official willingly worked and provided all possible hel[illegible]e Pakistani infiltrators. This is confirmed by HQ Inf. Div. letter [illegible] No: 1506/50/GSI dated 2-10-65.

2- The report of the Intelligence Bureau dated 4-11-65 shows that the official was close collaborator of the Pakistan infiltrators.

3- The fact that the official continued to remain in the raiders held area where they were active in sabotage shows his [illegible] complicity with them. Our report indicates that he was aware of activities of infiltrators and it was in his presence that infiltrators took part in subversive activities.

4- The official returned to Rajouri during worst days of emergency but again returned to Budhal when he was fully aware of the situation prevalent there, that also indicates his understanding with the infiltrators".

[illegible] After Mohammed Hussain's suspension from service, investgation was still in progress, when the Government ordered his reinstatement. Some months later, he was selected as Congress nominee for Drahal Assembly Constituency in the border district of Poonch. And his success was [illegible] for the same.

The above quoted copy of the letter was tabled in the Assembly during last year Budget session by Jana Sangh member Shri Shiv Charan Gupta. This created a stir in the House and [illegible] some of the Congressmen were [illegible] seen agitated.

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Deputy Speaker who was in the Chair, had ~~promised~~ assured proper enquiry into the matter. But to this day nobody knows what enquiry was held and what was the result of that enquiry.

Like Mohammed Hussain there are several other officials and Congress workers who had mysterious disappeared from their respective places during the Pakistani invasion but now all of them had not only been reinstated but some of them had been awarded too in various ways. instead

Annointments for I.A.S. and I.P.S. the other

Recently on the recommendations the Govt. State Government, the President of Indian Republic has appointed twentyfive State officers for the Indian Administrative Service and thirteen for the Indian Police Service. These selections as those in earlier case of IAS and IPS, the people at helms did not adhere to any criterion. In number of cases the far too junior, and known corrupt and inefficient ~~officers~~ officers have been given preference over the senior and honest officers. The policy of pick and choose have caused heart burning amongst the large number of officials.

Amazingly even those officers ~~whose loyalties had~~ never been above board, have found found top place ~~in~~ in the list of the selected officers. In the list, Mohammed Amin Custodian General has been placed ~~in~~ as number one. Mr. Amin was arrested and ~~was~~ was amongst those who faced ~~Kashmir~~ trial in Kashmir Conspiracy ~~case~~ case along-with ~~Sheikh~~ Mohammed Abdullah. In 1964, when the case was withdrawn by the Sadiq Government, Amin was reinstated and paid all his emoluments for the period of trial which amounted to Rs 90,000.

Amongst the selected officers some are not even graduates. For instance Iftikhar Ahmed and Mohammed Yasin Indrabi are only Matriculates. Over a dozen officers are such against whom corruption and other allegations of abuse of ~~power~~ their positions are still pending enquiry.

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Mr. C.N.Koul, Superintendent Police Kathua who have been selected for IPS has been under severe criticism in and outside the State legislature for his conduct in only recently. A few weeks back there demonstrations against the said police officer at Samba town when he had visited there.

Selected officers include also those who have amassed wealth and constructed platial bungalows for them beyond their ostensible sources of income.

About half a dozen officers s[illegible] are [illegible] alcohal adicts and cannot go with[illegible] the Gov[illegible] in office hours.

Some of such officers were at the [illegible] of their retirement [illegible] but with the [illegible] for Indian Service cadre they have got new lease of service as the retirement age in the State is 55 years whereas for IAS and IPS officers is 58 years.

For IAS selection under rules the officer should have worked against the post of Deputy Collector, but to facilitate the selection of their and near and dear ones the Kashmir Government made a general order only a few days before the selection, granting powers of a Deputy Collectors to all its Secretaries, and Deputy Secretaries and others.

~~Some of the police officers selected for IPS~~ are not only incapable and inefficient but they have never got the required basic training of an ordinary police officer.

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(More to follow)

(Gopal Dass Sachar)

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**Refugee Problem**

Nearly two lakh people from Pakistan occupied areas of the State have come to this side of the cease-fire line. At time of 1947 Pakistan agression, the Pakistani marauders not only looted their belongings but forced them to migrate on Indian side. Thousands of Hindu-Sikh, including large number of women and innocent children were massacred.

Central Government during the past twenty years, have provided grants to the State amounting to about Rs instalments for rehabilitation of these refugees, but even after ex[illegible] the other years, the refugee problem still remains to be s[illegible] the Gov[illegible]cally.

Not to say of paying compensation [illegible]e properties left behind by these refugees, even their claims h[illegible]ve not been registered so far.

Some ten years back, it was decided by the State and the Central authorities to pay Rs 3500 each family as ex-gratia grant But the State Government deducted Rs 2500 from each family as cost of the lands allotted them, with out keeping in view that whether a a family has been allotted [illegible] acres of land or eight acres. (Land unit for a refugee family has been fixed eight acres but there are very few families who have been allotted lands in accordance with this scale.

And those refugees who had settled in Jammu city, instead of exgratia grants have been allotted residential quarters.

Ten to fifteen years have passed when these allotments were made but they have not been given proprietry rights on these lands and quarters. And at time of elections or on anyother such occasion, the refugees are threatened to support the Congressmen otherwise their allotments would be cancelled. In some cases practically this has had been done too.

Another deplorable part of the refugee problem is that whenever the migrants to Pakistan come back to the State, their lands and properties are restored to them. In several cases the allottees have been deprived of their allottments and

* It may be pointed out here that the refugees had been allotted lands which are either Evacuee Property or acquired by the State Govt under Big Landed Estates Abolition Act without paying any compensation to the owners.

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lands and houses. There have been number of cases that migrant to Pakistan came back to the State, got restored their property and again went back to Pakistan after selling these restored lands and houses.

It may be pointed out here that during 1947, when Pakistan troops occupied Muzafrabad district, nearly 20,000 Hindus and Sikhs were forced to leave their homes. These refugees came to Srinagar. But instead of rehabilitating them in the Valley of the other Muzafrabad district was a part of Kashmir Province - they were sent to Hindu majority area of Jammu and not a single was allowed to settle in Kashmir.

Refugees from West Punjab:

About twenty thousand refugees from West Punjab entered the State in 1947 and settled in border areas of Jammu, have not so far been granted even the right of vote.

Migrants to Pakistan occupied Kashmir:

During 1965 Indo-Pak hostilities, about 75,000 people from Poonch-Rajouri district bordering occupied Kashmir crossed over to enemy held areas. Many of them in occupied Kashmir were trained in sabotage and guerilla warfare activities. The then Union Home Minister Mr. G. L. Nanda and the Defence Minister, Mr. Y. V. Chavan during their visit to these area in 1966 had announced that the people who had prefered to go in the lap of enemy would not be allowed to come back. Jana Sangh had suggested that these people should be allowed to come back through prescribed routes after proper scrutiny.

But since 1966, about 55,000 people have clandestinely entered to this side of the cease-fire line and this unchecked traffic still continues. Under communal and political considerations the State Government continue to provide rehabilitation facities to these who are coming back. But most astonishing part of the situation is that those people who were badly affected by the sabotage and subversive activities of armed infiltrators

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of armed Pakistani infiltrators in the area but did not go to enemy side, were given relief at scale of Rs 120 per family but those people who are coming back from occupied Kashmir, are being provided relief at scale of Rs 600 per family.

Corruption, smuggling and other evils were at their height in this border district due to illegal and unchecked traffic. Due to clandestine entry of people from the other side, nobody knows who is bring what with him. And the Government policies continue to be vacilating regar[illegible]s illegal traffic due to which great security ri[illegible]lved.

Poonch-Rajouri area had been target of Pakist[illegible]ions and subversive activities of infiltrators for the last twenty years mainly because the authorities had always bungled and did not deal with the a heavy hand with the enemy agents and infiltrators.

(Gopal Dass Sachar)
Jammu.

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MANIFESTO

THE ALL JAMMU AND KASHMIR PRAJA PARISHAD.

Preface - There are always certain characteristics that go to make a people what they are. Characteristics is a make up of qualities and drawbacks, merits and demirits, and a nation which overcomes all or most of its defects always rises to the glorious ascendency, spiritual as well as material. On the other hand, people who ignore their inherent defects and pose to be progressive without sufficient ideals are shattered like the house of cards. No Government, no political party, however strong or having however progressive a programme to fulfil, can achieve success until those defects which are eating the vitals of its people away, are looked into and removed. The modern practice with party Government is that every party in conflict comes forth with a well knit programme which is almost always full of promises and assertions that the interests of the country and its people would be best secure in its hands when it comes into power. But as the members themselves suffer from those drawbacks and they don't come to remove them, their promises fail to take a practical shape. They are unaware of the fact that all our energies and capacities must be concentrated to eradicate these defects which are harmful to the nation as a whole, so that the people of the country may enjoy a lasting peace, prosperity and contentment by [illegible]

There are certain drawbacks in our people, too, which must be removed in order to ensure the goodworking of the true type of democracy among us. The first and the foremost is the lack of the sense of duty in us. Red tape, Nepotism, negligence etc are all the outcomes of this abnoxious trait, and it is pity that no effort has been made to cure it. Other nations who attained freedom, and maintained it, possess this quality of duty towards their country in a good deal. It is clear that more than fifty percent of the troubles of the people at large are due to the lack of this sense in them. Praja Parishad aims at impregnating this sense of duty in its people so that none may prove to be harmful to the country.

Our second bad characteristics is a full measure of dishonesty in us. Corruption, a trait much talked of these days, from which the country and the people suffer more than anything else, is the child of dishonesty. Even the most seemingly progressive programmes and schemes for the betterment of the body politic is bound to fail. [illegible] policies on

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whom the burden of its execution lies fail to be honest in their conception and dealings. There should be the honesty of purpose in every son of the soil and specially in those who hold the destinies of the nation in their hands. Much of the sufferings and the poverty among the people is due to the corrupt practicies. Praja Parishad aims much at reforming societies in this domain so that every body may enjoy the blessings of freedom.

The third glaring drawback is immorality. We lack men of will and purpose who work for the country selflessly. It is the night of moral degradation when we sell our honour for petty preferences and betray our people to evil designs. Measure of greatness according to us is NOT self respect but the filthy lucres which we acquire by means of dishonesty and immorality. The real strength of a nation lies in its high standard of moral integrity. Praja Parishad aims at raising the moral standard of its people so that our freedom which has been won at a great cost, be well protected. Our ideolocies and creeds should be directed towards creating [illegible] with a pink of perfection.

.....

(a) Accession of the State [illegible] Kashmir with India.

Praja Parishad stands for the [illegible] and permanent accession of the State of [illegible] with the Indian Union. Its object is to see that the State henceforth becomes [illegible] of the Union and acquires all the benefits accruing from it. As for the case with the UNO is concerned, it holds it very necessary that as the Security Council had failed to do justice to our plain case, and has further complicated it, the case may be withdrawn from the Security Council forthwith. It would further stress upon the Indian Government that in face of Pakistan's mischievous intention and threat of Jehad in Kashmir, all diplomatic and friendly relations should be severed with her. We should also get back the one third of the State that Pakistan still holds forcibly under her grips. Praja Parishad on its part, would extend India fullest cooperation for the purpose.

(b) Constitution Praja Parishad stands for the application of the Constitution of India to the Jammu and Kashmir State in its ~~integrity~~ entirity. It considers that the [illegible] Constitution is the best ever conceived Constitution which provides [illegible] for the thriving of our social, political and economic well being. It safe guards fully the rights of the back ward classes and guarantees

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full chances of progress to the minorities. By introducing the Indian Constitution the State of Jammu and Kashmir would have equal chances of all round progress as provided for all the other provinces of the Indian Union. Till the time the Indian Constitution is applied to our State, the Praja Parishad would strive for the full rights of citizenship for all, irrespective of cast, creed, and sex. Bureaucratic and autocratic elements in the Government would be challenged and freedom of the press and platform as well as that of the social, economic and religious activities would be established.

(c) Roll of the MAHARAJA.

Maharaja will be the Constitutional Head in the State under whom one or more autonomous units can be set up. His duties, powers and prerogatives would be the same as provided by the Indian Constitution ( States)

(d) Economic set-up

The ultimate goal of the Praja Parishad in the sphere of economic set up would be a minimum [illegible] society offering each individual full scope in the realiz[illegible] capabilities with out interference by the State. Accordi[illegible] Praja Parishad there should be mutual cooperat[illegible] between [illegible] and the irdividual in production consumption, and inve[illegible] for the national uplift including provision for the h[illegible] standards of the dietry conditions, sufficient amount of clothing, clean and comfortable housing, water supply, Electricity, Educat on, means of communication and transportation, Insurance, Banking, civil and veterinary hospitals, be worked out.

(e) Customs duty

The cost of living in our State is almost double as compared with that of the Indian Union, while the income per capita is far below. The reason is the heavy burden of customs duty which the ultimate poor consumer has to bear, for every goods imported from outside. Praja Parishad believes in competition and free trade, a problem which would be automatically solved when the State [illegible] unconditionally acceded to India, and when that great country's constitution is applicable to her. With the removal of [illegible] customs levy, a remarkable improved standard of living is ens[illegible] that time o the application of the Indian Constitution, the [illegible] would demand immediate removal of this curse so that [illegible] and naked

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masses may feel their lot a bit improved.

) LAND REFORMS:

Praja Parishad believes that the economic development of the country is much dependent on the agricultural production, and therefore development of land on sound scientific basis, and the welfare of the tillers is its first concern. It shall see that the latest scientific methods are employed to make the country a self sufficient unit. As regards land reforms, the Parishad is of the opinion that the land must go to the actual tiller. It will, however, oppose the land reforms policy of the State Govt only to further improve upon it as much as (the middle class Zamindars and the tillers may find themselves in a better state- a sort of mutual compromise. This will ultimately eradicate all the internal strife, hatred and chaos among them which may, otherwise, weaken the integrity of of our economic life. The instrument of opposition would be first of all to question the propriety of the Land Reforms act which has not been voted for by the people's representatives, secondly, it would be opposed on the grounds that it has been brought into [illegible] proper planning, thirdly, it gives to the tiller only that much land which he actually tills i.e. 4 to 20 Kanals in all, with [illegible] that the tillers can in no way improve upon their [illegible] act leaves them as poor, and naked, and as shelterless as [illegible]. Praja Parishad would suppose at least 10 Acres of land for every tiller. This sort of set up would certainly be a marked contribution towards their betterment. Fourthly it would be opposed on the issue of expropriations of land without compensation. Praja Parishad has made it clear so many times that it is not its aim that the big landlords should be compensated. On the other hand the middle class Zamindars, who, with their lands expropriated have been left as poor and naked as their poor tillers with small pieces of land, must be compensated, and have something to fall back upon. Without that we would be serving the Pal at the expense of Moses. The compensation shall be borne by the State and will be payable in instalments. Fifthly, the Government, making over land to the tiller has ignored those pieces which were NOT actually tilled by any tiller, with the result that the [illegible] has gone completely waste. This policy has given rise to wastage in [illegible] economic setup. Sixthly the present ZAMINDARI Abolition Act of the Govt [illegible], Z.A.A. Instructions, 28) that the land which was til[illegible] who have gone to [illegible] land [illegible]

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porarily, and is reserved for those Pakistanies whenever they return. The arishad would resent this policy and ask the Government to make over those pieces permanently to the tillers who are at present tilling them.

Next to it, the Parishad intends to secure proprietory rights of the land labour as for the housing is concerned. At present the labour cannot acquire or sell the house he inhabits.

(g) ROADS AND WELLS.

Even a cursory survey of the geographical conditions of the State reveals a great fact that the State is completely deficient in its means of communications and transportations. Leaving one or two major roads links which are also in a delapidated condition, there is hardly a road worthy name. There are certain portions of the State which are practically out of touch with rest of the world. Result is that the masses of those areas are completely or partially backward and half civilized. They lack the national consciousness, the spirit of self sufficiency, and self respect, and their progress has much been stymied by the lack of such means. To improve upon their condition the Praja Parishad would strive to bring those areas under a net work scheme of roads, transportation and means of communication, such as posts and telegraphs.

Apart from roads and means of communication there are certain illaqas known as " KANDIES " [illegible] in water supply. There are no wells and in certain cases the people have to carry water from a distance of five to ten miles. This shortage of water supply is a common case and even the city of Jammu is suffering from this evil. To remove all such scourges and difficulties, the Parishad would try for an efficient scheme of tube wells and canals in order to make the people happy and prosperous.

(h) INDUSTRY.

Praja Parishad believes in the nationalization of big and the need of providing protection to the small and medium size industries. It would lay stress on an efficient scheme for encouraging the pooling of the national finance and the Government encouragement by providing funds, means of motive power, and rules and regulations in protection of the industrialist and the labour. Transport, the [illegible] of the citizens of the State shall be left for individuals to make enterprises and develop. This will much solve the accute problem of unemployment.

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(i) GOVERNMENT SERVICE.

Experience of past few years has shown that the low grade and the middle class Government servants have been constantly suffering from the rise in the cost of living, taxes, customs levees and cuts etc. Govt., instead of improving upon their lot, has been imposing more and more burden on them, and daily new cuts and deductions are being effected from their already meagre salary. This class is on the verge of complete breakdown. On the other hand the big officials have been provided with every convenience to spare. The Praja Parishad is against the idea of this economic exploitation. It would try to fill up the gap in the economic standard and shall try for the under fed their rightful dues. In its view the minimum initial pays should not be less than Rs. 100/- per mensem, applicable to the lowest grade in the State. Way to make up the financial difficulties is NOT the cut in the salary of a poor ~~low grade~~ person. Praja Parishad would ask the Government to restore all the cuts and the money thus appropriated by them.

(j) PUBLIC SERVICE COMMISSION.

The reign of the Interim Govern[illegible] the State has shown that in public services there has been corruption [illegible]avouritism, Nepotism and other defects arising out of an absolut[illegible]y Government with NO opposition against it. Re[illegible]worth, integrity and capability have ~~all~~ been ignored or over looke[illegible] allegiance, bias or influence have become a rule. Incapable and worthless men have been installed on key posts. The result is that there is much discontentment and restlessness among the public. To eradicate this evil, Praja Parishad considers that an impartial public service commission be set up for recruitment and employment in the Government offices. The best officials whose integrity and capability has been tested, should be placed in position of strategic effectiveness. Patronage and influence are the evils which corrupt the officials who, on their side form the instruments of Government policy. They must be dealt away with.

(k) LANGUAGE

The language policy of the State Government has given a rise to doubts and suspicions. It is ~~but~~ a fact that the State is comprise of six distinct units. Every unit has got its own [illegible]tions and language. In the matter of language, each and every unit has [illegible]ull right to us

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own dialect. The imposition of Urdu language on all the people of the State, disregarding their wishes and aspirations is the very denial of freedom of language and speech. This comes allmost to the suppression of other languages. Our State should follow in the foodsteps of the Indian Union while making Hindi as the National language, other prominent provincial languages have NOT been ignored. Every chance has been given to them to flourish. It should be , as a matter of fact, left to the people of a unit or a province to choose the language they like to speak in . Urdu should not be thrust upon the Hindi loving people. The Parishad has viewed with great concern the Government's attempt at spoiling and corrupting Hindi by introducing Urdu and persian words in it. Common and simple hindi words have been replaced by the most difficult persian used words which are un understandable even to the teachers. Praja Parishad would ask the Government to change its present policy of imposing Urdu against the very wishes of the people. We shall demand the text books containing difficult persianised words should be reduced or purified immediately. The children have already been given a serious set back in the sphere of education.

(1) REFUGEES

It is a matter of regret that our displaced brethern who have really paid for our freedom by loosing their hearths and homes , nears and dears, have not [illegible] attention. They have NOT been rehabilitated so far. Thousands of them are rotting in camps, and their plight is as miserable as it was four years back. The miserable condition of the refugees from the Chhamb Area needs no comment. Refugees settled on the borders of Ranbirsinghpura and other places were promised four acres of land each, but half of them are still without it. Thousand of them have been left without proper means of sustenance. Praja Parishad is specially concerned as to the rehabilitation of these displaced persons. It gives top priority to their economic as well as psychological rehabilitation. For this purpose, the Praja Parishad is of the opinion that the displaced persons should be devided into various categories according to their professions. The agriculturists be settled on evacuee and waste lands. The technicians, labourers, and professional should have selfcontained industrial colonies. ~~should be setup~~. The aim is to provide a standard living wage and shelter. The wounds inflicted by the Pakistanies can be much healed up in this way. Moreover, it would launch a struggle for making up the losses of

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refugees of the State from the evacuee property of those who have left for Pakistan. Besides , Praja Parishad would demand that the special attention be paid to the families of those brave refugees or otherwise who fought the Pakistani hoards during those days of crisis . It would also leave no stone unturned in its realization of the demand that the abducted women and children, still in Pakistan, be recovered to a person.

(n) MILITARY TRAINING.

The State being a frontier area, the Praja Parishad stands for compulsory military training for all adults . It would also stress the need for the formation of the frontier guards, and distributions of ammunitions among the people living on the boarders. The Parishad feels it to be the most urgent need of the people of the State in view of the aggressive designs and the frantic war propaganda of Pakistan.

This is in main the programme, the All Jammu and Kashmir Praja Parishad has set before itself, a nutshell of its political, economic, social and cultural aspirations which it promises to fulfill. We will spare no effort till we reach the [redacted] we will not rest till we establish our birth right of freedom, social and political, from the shackles of the present regime which is but the widespread evils of corruption, favouritism, inefficiency and redtape. We can not bear the exploitation of our national resources for personal aggrandisement, we cannot sit idle in face of the great peril of total annihilation of our rights and freedom, nor can we tolerate a rule by Sinai's warrant. To contest all the evil elements congregated in the present regime, the All Jammu and Kashmir Praja Parishad has raised the standard of freedom, equality, and fraternity, and expects from all the citizens of the State , irrespective of past , creed and sex, together round its banner in order to give a fight and finish to the evil clique.

PRAJA RAJ ZINDABAD.

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Jammu: Buddhists in Ladakh - the roof of the world and known as the land of Lamas - may find themselves in minority in coming years if they do not chage their marital system - the polyandry.

The population of Ladakh Buddhists registered very little increase during the past many years. Contrary to this the much higher birth rate amongst other communities, especially the Muslims, has reduced the majority of the Buddhists to the extent that now these two communities are almost equal in number.

The 1961 census put the number of Buddhists in Ladakh at 47,708 while the Muslim population was 40,275. In the total population of 88,651, the Buddhist formed only 53 per cent and Muslims touched the percentage of over 45. The sharp decrease in Buddishist population over the past over 60 years can be judged from the fact that in 1901 census of the total population of ~~xxxxxx~~ 60,467 the Buddhists ~~xxxxx~~ were about 65 per cent.

According to reliable sources the percentage of Buddhists may register further decrease in 1971 census. Meanwhile there had been great change in birth rate of Ladakh during the past decade. The birth rate which was counted as point eight per cent per annum in 1961 census, has gone up to 1.7 per cent in the current census.

Following sharp proportional decrease in the Buddhist population, it is said there is great rethinking going on amongst Buddhist leaders to change their polyandry system in which a women has two to four husbands, all brothers. This is conventional there and "right thing to do". But the educated youth are now giving up this age old system.

In addition to this, many young men and women amongst Buddhists become Lamas to live in monsteries and pass their lives in prayers without adopting to matrimonial life. This also adversely affects the birth rate amongst the Buddhists.

Ladakh had got the custom of polyandry and unmarried life

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from Tibet when the border was open and that country had not fallen prey to the Chinese Communist hordes.

Practising the same type of lamist Buddhism, Leh had always looked to Lahasa for religious inspiration. While many Buddhists becoming lamas and other male persons, number more than one having one wife, this custom worked against Buddhists in multiplying their number. This system also throws up a large number of young women of marriageable age who cannot find mates. It is, therefore, natural to find a number of young Buddhist women marrying into the Muslim community.

Ladakh has number of monesteries. The eradication of ~~pxxxx~~ polyandry speedily cannot be accomplished without the help of these monesteries and lamas. For introducing early social reforms there is also a suggestion that monestries should be brought under trusteeship of educated and forward-looking Buddhists. This idea is likely to meet stiff resistance from the old lamas.

Scantly populated Ladakh is spread over 37,753 sq. miles excluding 9,563 sq. miles under the illegal occupation of Pakisten and China. The density of population being about 2 per sq. mile, the Government has taken no step so far to introduce family planning programmes there.

(Gopal Dass Sachar)
correspondent, Jammu.

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# Post-Election Politics Of Jammu & Kashmir

1. A Case For Regional Autonomy.

2. Potentialities of Two-party System.

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THE election results do not measure certain recent changes that have taken place in Kashmiri politics. Pre election activity acquired an unprecedented tempo this time and disturbed the existing alignments of forces, tending to polarize them in two broad camps led by Mr G. M. Sadiq and Bakshi Ghulam Mohammad respectively, But as both of them took the accession of the State to India for granted, that issue receded into the background.

It was a difficult time for those parties that had kept this issue alive. The boycott call by the once formidable Plebiscite Front was defied by some of its most prominent men, who chose to contest the elections, and also by its many followers who exercised their votes.

The new trend that took shape in the process and culminated at the time of the General Election had, in fact, started more than a year ago [illegible] the inability of any ex- [illegible] influence the [illegible] Kashmir

possibility of choosing their own rulers. Hitherto they had never had that choice. For there never was an all-State party capable of putting up candidates for all the seats and forming an alternative Government. Popular Opposition leaders in the Valley had in the past expressed their dissent by merely boycotting the elections.

## LIMITED SCOPE

To be sure, available alternatives were still limited at the time of the recent elections. Influential leaders like Sheikh Abdullah were under detention Some others refused to participate till what they called the "Kashmir question" was settled. Such restrictions on alternatives limited the scope of democracy. But for that very reason the experiment was manageable : not even the most free choice of the people could have created any serious complications. And tasts of freedom, within known limits, might have indicated to the people the full potentialities of Indian citizenship

This was the promise of the fourth General Election, a promise that, alas, was far [illegible] fulfilled. [illegible] the only State [illegible] elec-

large-scale rejection of nomination papers, the arrest of many polling agents; the distribution in advance of ballot papers to Congress workers, used allegedly during polling and counting where Opposition agents were not allowed; and so on and so forth.

One need not believe in all the allegations to appreciate the more obvious fact that the people of Kashmir once again missed an opportunity of choosing their own Government For the rejection of 118 nominations of Opposition candidates in 39 out of 75 constituencies, including 22 where the Congress candidates were returned unopposed, practically settled this issue before a single vote was cast.

There is abundant evidence on which to pass judgement on the conduct of the returning officers. But again, that is not necessary to make the point that it was the verdict of these officials—right or wrong and not of the people who voted that decided which party should form a Government in Kashmir.

Thus, the mist of distrust around the election and the practical exclusion from its purview of the main issue of the formation of a Government, robbed polling of its potential capacity to consolidate and consumate the healthy political changes that had already started in the Valley.

But instead of debating the shortcomings of the elections and attempting to apportion blame, it may be more fruitful and pertinent now to examine the basic attitude of the rest of the country to the democratic needs of the people of Kashmir.

The Prime Minister perhaps represented more than her own self when she observed, during her last visit to Srinagar, that "in the circumstances prevailing in Kashmir, there was no need for another party in the State."

Since democracy is not consistent with the one-party system, this statement implied a very low rating of representative government in the official policy in Kashmir. New Delhi's reactions to earlier attempts at forming a loyal Opposition party in the Valley were equally discouraging. The formation of the State unit of the PSP in 1954 was described by Mr Nehru as anti-national, while Mr Sadiq and his colleagues, who had for a while functioned under the Democratic National Conference, were wrongly persuaded by the national leaders to return the fold of the parent party. The merger of the two parties—and the return to the one-party system—in 1958 was hailed by almost the entire Indian Press as symbolizing the unity of those forces that were loyal to the country's integrity.

There is hardly any evidence of enthnsiasm in the rest of the country to make Kashmir politics more democratic. The role of the two-party system is appreciated even less.

This implies distrust not only of all the people of Kashmir, but also of those sections of the people who are known to be loyal to the Indian Union. For the Prime Minister had such loyal parties in mind when she said that "the danger of the formation of a separate party in Kashmir was that one did not know which direction it would finally take."



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But did we always really know the direction in which leaders of the one-party system had at certain times veered? There are justifiable fears about the role of elements known to be hostile to Kashmir's position within India, as well as about a possible change of direction among those who are presently satisisfied with this relationship. A single party is, therefore, decidedly no answer to these problems. Indeed, the one-party system accentuates popular discontent which in the absence of other legitimate outlets, is diverted to and feeds secessionist sentiments in the Valley.

The system itself tends to develop a vested interest in maintaining a minimum level of activity against the rest of the country. For such activity diverts and absorbs anti State Government sentiments which alone can threaten the power of the rulers of Kashmir.

Within certain limits, anti Delhi and anti State Government sentiments are interchangeable. At the present moment when feeling against the rest of the country is at a low ebb and legitimate outlets are available to those who harbour anti State Government sentiments, the Centre has an invaluable opportunity of furthering the cause of democracy and India's own national interest in Kashmir.

## CENTRAL OPPORTUNITY

The opportunity, it is worth remembering, is not the result of any conscious national policies; it has, perhaps, presented itself in spite of New Delhi's efforts. A variety of fortuitous reasons. Pakistan's follies and the inherent soundness of the Kashmiri mind have often combined to create a favourable atmosphere for the future of the State. But there might not be many more such opportunities for the Centre to squander.

The simplest way to make use of the current opportunity is not to do anything to curb the democratic upsurge in the State. If certain restrictions on individual freedom are still necessary in the interests of law and order and the well-being of society in general, they should be imposed under specific laws, subject to judicial review and political debate. But in our attempt to soothe world opinion and salve our own democratic consciences, we give sometimes a double meaning to freedom; one is private and the other public. One is meant for the people of Kashmir alone; the other for the rest of the world. Judicial review and political debate then, become irrelevant in determining the nature and extent of the restrictions that have been placed on freedom. Even more than the restrictions, it is the arbitrariness and hypocrisy that accompanies them that insults the intelligence and self respect of the people of Kashmir.

For instance, when voters in half the constituencies of the Valley missed an opportunity to choose their own representatives for themselves, it was still hailed as their victory. A senior Minister of the State Government argued that "by returning unopposed 22 candidates, the Muslims of Kashmir have clearly demonstrated that they are with the Congress and India."

## PRICE OF PATRIOTISM

A more serious question is: are all those people who are opposed to such unopposed electoral returns not with the rest of India? Can a Ka-



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shmiri not be loyal to the country as a whole without being with the Congress party? Does he cease to be a patriot if he is unable to succumb to the power and the money of the ruling party?

An enlightened Kashmir policy must repudiate all such interpretations of democracy and patriotism. It must concede that Kashmir needs more than one party as much as any other democratic State in India. It must demonstrate more convincingly that Kashmiris can choose, their Governments as freely as do all other Indians, at least as long as they do not challenge the integrity and security of the country

Such a demonstration need not wait for another five years. It may be true that even an expeditious and judicious disposal of those election petitions that are pending and the byelections that might possibly result cannot restore to the people the opportunity they missed in the fourth General Election of choosing their own Government—this involves factors that are different from choosing individual representatives in a piecemeal way. But the effort at quick and fair disposal will be worth the trouble.

Before the present state of the Kashmiri mind which is still healthy gives way to frustration, an earnest attempt should be made to bring the entire spectrum of Kashmiri opinion, including those sections of it that might be in jail or underground, into the constitutional arena Those who baulk at risks that seem too great may suggest a more phased programme of democratization. But the minimum that they should demand is that the municipalities of Jammu and Kashmir should be run by elected representatives.

Relations between the two principal regions of Jammu and Kashmir are affected in a vital sense by the weakening of secessionist politics, the constitutional struggle for power, the emergence of a two-party system and the arrested process of democratisation as part of a cause and effect cycle, that were described above. The traditional tension between the two regions has partly been transmitted into tension between two new rival parties.

Even in the hey-day of the one party system in the Valley—the days of Sheikh Abdullah's absolute political supremacy and Bakshi Ghulam Mohammed's monolithic regimentation—the Opposition in Jammu was very vocal. But as far as the struggle for power was concerned, it remained impotent. For the party in power always managed to capture unopposed most of the 45 seats in the Valley.

Because it could not influence the formation of the Government, the Oppositions' struggle in the 30 odd seats of Jammu did not inspire popular confidence. Certain inadequacies in the character of the Opposition party and its conduct in the elections further helped to turn the scales in favour of the ruling party. The impotent rage of Jammu against a new set of Kashmiri leaders who came into power was translated into a regional cum-communal protest that added many complications to the Kashmir tangle

MANAGED MAJORITY

The fourth General Election promised, for the first


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time, an opportunity to Jammu to have its say in choosing a Chief Minister for the State—albeit out of the leaders of the Valley The promise remained unfulfilled as, with the large scale rejection of Opposition nomination papers, the Congress Party again got a majority of the seats from the Valley. But in spite of this, the two party system did not completely collapse; on the contrary, the parties cut across regional and communal loyalties and tended to weaken them.

A serious examination of inter-regional relations in the State and the search for a more rational basis thereof should be undertaken before either regional tensions frustrate emergent trends in the party system or the failure of these new trends brings regional cordiality to an end For the one-party system in the Valley was not the only cause of tension between the regions Nor is their mutual cordiality the only prerequisite of a two-party system. Regional sentiments can be revived through many forces, including the party in power which, in moments of insecurity or short-sightedness, helps to fragment popular discontent.

There is in fact, a built-in provision in the present structure of the State that helps to maintain continuous tension between Jammu and the Valley. Under existing circumstances political power cannot be equitably shared among them,

For obvious geopolitical reasons, the political leadership that is based in the Valley, however unrepresentative it might be, must lead the Government and the political parties at the all-State level. The people of Jammu, who number slightly less than half of the poppulation of the State, have never acquiesced in this fact, which reverses the century old pattern of power being centered in a family or group of families belonging to Jammu The reversal it causes further heart burning in Jammu.

As the predominant religion of the two regions is also different, anti-Kashmiri feelings in Jammu developed anti-Muslim overtones, while anti-Jammu reactions in the Valley tended to become anti Hindu and hostile to the rest of the country. The resultant communal sentiments in Jammu and the secessionist sentiments in the Valley again reinforced each other in a vicious partnership which was interrupted only occassionally by some fortuitous common rallying factor.

These tensions sap the potentialities of a healthy regionalism of which Kashmir had once shown great promise It was pride in the common regional culture and history of the State that inspired unity among all communities of the Valley ; this unity is based on secularism and has proved a powerful bulwark against the purely religious appeal of Pakistan in 1947 and in the years thereafter.

While regional patriotism bas no place in the theory and practice. of Pakistan, India's capacity to accommodate it in the case of Kashmir, is also gradually subjected to strains. This is primarily because of India's inability to reconcile the conflicting claims of the two regions that comprise the State.

Any particular status that Kashmir might arpire to within the Indian Union cannot be sustained because of Jammu's



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flagging support. For, in order to get rid of so-called Kashmiri domination, the discontented leadership of Jammu campaigns with success for the transfer of more and more subjects from the State to the Centre, which is always willing to enhance its own powers. As long as this process of integration continues, it creates an illusion in Jammu that the power and domination of Kashmir is being reduced. Whenever the process halts mount in Jammu.

INTERNAL IMBALANCE

The process, however, cannot continue indefinitely. Abrogation of Article 370 of the Indian Constitution is, perhaps the limit. Even that by itself cannot correct the imbalance in the internal political structure of the State. Nor should it be forgotten that the continuous erosion of the State's autonomy could be no source of satisfaction to the people of the Kashmir Valley. Indeed, this was the initial cause of the estrangement with Delhi of the political leadership that had spearheaded the State's accession to India.

Both the Constitution of India and the pledges of our national leaders at the time of the accession had specifically conceded the right of the people of Kashmir to shape their relations with the Centre in accordance with their wishes. They are certainly entitled to assert this right and reopen the issue. For in any federal set-up, the question of Centre-State relations cannot be regarded as being finally closed. But we must know by now that no decision on the subject would last without the concurrence of Jammu. Nor can any decision be either rational or balanced if it is taken under the provocation of regional tensions.

At the political level too any attempt at integrating the Valley emotionally with the rest of the country will be futile unless integration between the Valley and Jammu takes place first. If for no other reason, this is necessary because Jammu intervenes physically between the Valley and India. The emergence of inter-regional political parties and an effective secular leadership in Jammu have improved the prospect of co-operation between the two regions; but even so, such processes would be facilitated by certain institutional changes

To be sure, regionalism in India is not a phenomenon peculiar only to the State of Jammu and Kashmir. Though it has been overshadowed by and confused with the problems of accession and communalism, it is in essence not very dissimilar from the problems that practically all the other States of India have experienced and are experiencing in varying degrees. The lessons of their experiences should profitably be used in resolving the problems of the only remaining multilingual State in the country.

BASIS FOR UNITY

The proposed pattern for the reorganization of Assam—the latest in such experiments—further demonstrates that some sort of federalism can be the best basis for the unity of a multilingual State Jammu. however, comprises a much bigger part of the entire State of Kashmir in terms of both area and population than do the hill areas in Assam On the other hand. its demands are more


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moderate and a popular ership in the Valley is likely to concede them more readily than the aspirations of hill people in Assam are accepted by the people of the plains.

Acceptance of the distinct regional personalities of Jammu, the Kashmir valley and Ladakh, with a measure of autonomy in their internal affair, would remove the fears of each of these three units and provide a more natural and a non-communal impetus for a sense of belonging and political participation. Only such a sense of belonging can effectively answer the appeal of secession in the Valley or of communalism in Jammu. Only this can ensure their unity and contribute to the development of sentiments of a genuine Indian nationhood in this vital part of the country.

If Kashmiris are to feel the real thrill and pride of Indian citizenship they must also have a satisfying relationship with the people of other constituents of their own State, a satisfying status vis-a-vis the Centre, and a satisfying State Governmenment to rule them. Fortunately these are all purely domestic Indian issues. The three objectives are inter-dependent and their realization is not subject to anything that might happen beyond our frontiers. It is up to Indian statesmanship to prove itself equal to the task.

*Asoka Art Press, Shahidi Chowk, Jammu.*

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# RESOLUTION PASSED IN THE WORKING COMMITTEE MEETING OF J&K PRAJA PARISHAD ON 8TH AUGUST 1956.

.....

The accession of the state with the Indian Union is the recognition of the principle that Bharat including Kashmir is one country and the corollary that the whole country should have one constitution naturally follows. There cannot be two constitutional set ups in the same country and if the principle is allowed to be compromised in respect of one party of the country it will encourage the other parts to follow the track and hence the National integrity will gave way to the disruptive elements to play their mischief.

Principally, historically and geographically the Kashmir is a part of Bharat and hence the people living in Kashmir should also enjoy the same fundamental rights and have the same constitutional safe guards as the people living in the rest of India. To maintain the National integrity Kashmir should also have the same constitutional set up as the rest of the country. This is the aspiration of the people living in Jammu and Kashmir state. It will restore normalcy and end all uncertainty about the future of the state.

The disclosures of the Prime Minister of the State about the seperate constitution for the State, during the recent Press Conference in Jammu led us to the conclusion that he wants to foster the spirit of seperatism curb the civil liberties of the people and hold the present rulers to perpetuate their hegemony.

The people have further been given to understand that there will be a bicameral house for the State which besides doing any good will further add to the heavy administrative machinery for the poor people living therein. We view these trends with great concern.

It is, therefore, imperative that in the matter of fundamental rights complete jurisdiction of the Supreme Court, control of and supervision by Auditor General and Election Commissioner, the State constitution should not have dissimiler provisions. It is further a matter of great concern that the people of the State should not be given representation in the Lok Sabha by direct franchise. The amendment introduced in article 81 of the constitution of India for the State is detrimental to the interests of the people inasmuch as they have been deprived of their rights to elect their representatives of the Lok Sabha. This procedure of nomination has deprived the electorate to give their verdict on ALL India matters.

We were given to understand in the year 1953 at the time of withdrawal of the agitation that the people of the Jammu Province will also be taken into confidence whenever any major problem of the State will be solved. It is pity that the Prime Minister of the State has not fulfilled the promise so much so that he has ignored the people of the Jammu and we are not given any opportunity to discuss and express our views, on such vital matters as that of the framing of the constitution. This meeting of the Working Committee of the Jammu and Kashmir Praja Parishad views the present circumstances with great concern. The Committee firmly believes that seperate Constitution in the State is not a solution as put forth by the ruling clique but will complicate the issue. The Committee firmly believes that the application of the Indian Constitution in its entirety to the State can alone restore law and order in the State and thus create confidence amongst the people about their lot. The Committee makes it clear that unless the Constitution of Bharat is applied in toto to the State they would not be a party or would not suffer imposition of any step which is taken with a view to satisfy the seperatist and antinational tendencies.

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RESOLUTION NO.

The recent disclosures of the Prime Minister of the State with regard to have a seperate Election Commissioner in the State is against the National wishes of the people. The past experience of the people during the last general elections and the civic elections has created a belief in the people that the Government does not believe in holding free and fair elections. The device of having seperate Election Commissioner is intended to 'win' the elections by dictatonal and in a most highhanded manner. The people living in the State want the sureties that the past methods adopted to reject the nominations papers of the opposite candidates and the distribution of the sealed ballot papers to their own people to be cast in favour of their own candidates would not be repeated.

During the past elections the appointment of presiding and poling officers having party affiliations has shaken the confidence of the people in the fairness of the elections and has rather created a belief in them that the elections in the State would be as usual farcical and they would have no end of their miseries in view of these circumstances.

During the last Assembly Elections some seats were reserved for Harijans. The Parishad is not opposed to the reservation of seats for Harijans but it strongly advocates that double member constituency system as prescribed in the Indian constitution should be introduced in the State to safeguard the rights of people other than Harijans living in the State. There is no country reason why the elections in the state should be held in different at different times when elections are to be held within fifteen days simultaneously throughout the country having different climatic and transport conditions in its various parts.

No census has been held in the State fore the last 15 years and therefore Jammu Province has not been given adequate representation in the Assembly according to its population which is in no way less than that of the Kashmir Province and instead of equal representation being alocated to it the ration of the seats allotted to the two Provinces is alarmingly unproportional.

The ministerial interference in the recent elections was quite evident. Encouraged by their interference the local executive Officers also exceeded their powers and did all that they could do to please their masters - their Ministers-in-charge. It had its prejudiced the elections to a great deal.

The working Committee of the Praja Parishad resolves that

1) The elections to the State Assembly should be held under the direct control and supervision of the Election Commissioner of India simultaneously throughout the State.

2) That there should be double member constituencies in the re erved consituencies and the two provinces be given equal representation.

3) That the two Provinces of Jammu & Kashmir be given equal representation.

4) That the people of the State should have a right to send their representatives to the Lok Sabha on the direct frenchise system rather than the present nomination.

5) That the Ministry should be dissolved at least one month before the elections.

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The Panchayat elections so far held in the different parts of our State have been held in ~~some~~ most illegal and arbitrary manner. No rules for the conduct of the elections have so far been ~~found~~ framed as provided in the act. The appellcations of the opposite party candidates have been illegally rejected and those belonging to the ruling party have been accepted even in the presence of the great disqualifications that they possess. No dates ~~have been~~ were announced in the villages ~~about~~ before the conducting of the elections. Seats in the Panchayt are also being filled by nominations which are done to accommodate the members of the party in power.

The present Panchayats set up by the Panchayat Department are a slur on the name of democracy.

The working Committee of the Praja Parishad have viewed these instances with great concern and resolves that the panchayats so far illegally set up should be dissolved and the proper elections be held according to law with a timely information to the people of the villates where elections are to be held.

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The population of the State according to the tentative figure released by the Government on 14.3.1961 is 35,83,585. The population of Jammu Province is 16,11,719 and that of Kashmir Province is 18,83,862 and that of Ladakh District is 88,004. There were no census operations in the year 1951. The constituencies were delimited in the year 1951 arbitrarily. Where the difference of population between the Jammu Province and that of Kashmir Province was very meagre, the Government got delimited 43 constituencies for Kashmir Province and only 30 for the Jammu Province. According to the tentative figure the Jammu Province is entitled to get 34 seats and Kashmir Province 39 only. All efforts to get the delimitation according to the census figure failed in the year 1962. This un-even distribution has resulted in the creation of the constituencies in the Jammu Province with a far-greater majority of the electors than that in the Kashmir Valley. For instance in Mendhar in Jammu Province the total number of votes in the year 1962 is 42,539. In the rest of the constituencies in the Jammu Province also the figure ranges between 24 to 34 thousands voters, whereas in the Kashmir Valley, in HabbaKadal and Tankipura constituencies in Srinagar city the total number of voters is 15,230 and 13,218 only. It is due to the fact that the number of constituencies delimited in the Kashmir Province is much greater than the actual census figure required to be delimited there.

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In Miranagar the Presiding Officer, S. Ajit Singh was detected and 43 ballot papers were found in his pocket. Their numbers are given as under:-

(INSERT NUMBERS)

When interrogated he gave a very unconvincing explanation stating that he had kept these ballot papers in his pocket to be cancelled later on. In yet another ~~ex~~ polling station in Chan Roran it was found that 10 ballot papers were found in in the pocket of the presiding officer which they intended to poll illegally and when interrogated he also explained away the position saying that he had kept the same in his pocket to be cancelled later on. In Nagwal also the Presiding Officer was found with 12 ballot papers in his pocket. In Darhal where Malik Abdul Rahman Independant candidate against a NC candidate all the ballot boxes were tampered with. In one polling station at Kar Kanthal the ballot boxes of Mr. Rahman were not placed on the Polling booth. They were thrown out ~~of~~ and the electors were asked to vote only in the ballot box of the National Conference candidate which was kept there and at the time of the counting when the boxes were found without proper seals and some of them were found opened previously. The returning officer did not agree to the belatent facts of the tampering of the ballot boxes and turned out the candidate and later declared the successful ~~result of the election declaring that~~ NC candidate ~~is successful~~. At Naushera the ballot boxes and PDP candidates of Nainal polling station were found open. In Trala Gujfran polling station where the ballot boxes stationed for the maintenance of law & order reg. the tampering of the PUNJAB Police also reported ~~to the same effect~~ but no action was taken by the Returning officer. Ishar Dass Gupta presiding Officer of the Jugan polling station had put false ballot papers in the box of the NC candidate. He did not seal the ballot box at the polling station as required under law and sealed them at home

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In Basohli constituency in the ballot box of Rani polling station 24 votes more than actually polled were found. When objected to the returning officer refused to reject the excess ballot papers and therefore the ~~xxxxxxxx~~ the opposition boycotted the counting because the returning officer would not admit to any reason. Earlier some ballot papers ~~of~~ serially connected numbers ~~with~~ each other in bundle form were detected in the NC candidate. Representations against that too did not find favour with the returning officer. In Ramban Constituency at one of the polling station in Banihal the brother of the NC candidate kept the presiding officer locked in a room and placed ~~the~~ his box ouside it. Thereafter he asked the electors to poll in the ballot box of the NC his own brother and thus the election is still claimed to be free and impartial in such circumstances.

The above mentioned instances of bogus polling at the polling stations detected so far would clearly show that there had been no free and fair elections in the Jammu and Kashmir State. The ~~xxxxx~~ riggid elections conducted under the so called supervision of the Election Commissioner of India by the State Authorities have revealed that the extension of the jurisdiction of the Election Commissioner of India to the J&K State has not changed the fate of the people of the State. Doomed as they are under the present circumstances prevailing in the State they have lost all faith in the so called democracy prevailing in the State. This is in no way going to help the solution of the Kashmir problem rather it would definitely retrogate the position of India ~~vis~~ qua the Kashmir. The people of the State had full faith in democracy and its principles. But the elections so far conducted ~~so~~ in the three elections have shaken the the faith of the people in elections and democracy.

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Respected and Worshipful Vinoba Ji,

The people of the State of Jammu & Kashmir are very fortunate in having you amongst them finding you taking stocks of their needs and trying to uplift them morally and spiritually by setting before them the example of your selfless work and your spiritual advancement, and teaching them the virtues of Gramdhan, Shramdan and Sarvodaya principles. By this teaching, your goodself is removing from their minds, the consciousness of their being individual units, separate from the Infinite Being, and are incalculating in them God consciousness, overpowering their consciousness of the part by the consciousness of the whole.

In this world of great stress, strain and turmoil, when selfishness, injustice, corruption etc are the orders of the day, the coming into being of noble and saintly soulds, is God sent as said in the Geeta, " that whenever there is decline of righteousness and the unrighteousness is in the ascendent, the God (takes body) in the form of prophets and saints and commissioned them to deliver His message of righteousness for the good of the humanity. Mahatama Gandhi of whom you are a noble disciple, was commissioned by God to win freedom for India, and when his mission was completed he was removed from the scene, which was a great tregedy for us all, but at the same time, He sent you here to take his place with a message to complete his work of developing human beings, spiritually, economically and morally and to establish righteousness and to destroy evil. The people of the State are looking forward, that you will help to destroy evil and establish the reign of justice and righteousness here.

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I have read with care your letter - a lengthy note covering five typed pages. What I miss in it is the true spirit to understand and appreciate and what I find more protruding in it is a ~~passion~~ pre-possession to uphold and defend for all its shortcomings an action with a lawyer's quibles. I feel ~~much~~ much in it is barren verbalism without relevance to and much ~~that~~ looks like a saga of your personal exploits how you led bands of local workers to defend the borders of Jammu. It is not dignified to weave a panegyric of your own deeds. No leader of the people who assumes reins of Govt. can stay back at the hour of peril. The days of the man of the ivory tower who could not condescend to come down and walk with the common man had long ~~ceased~~ been over. A leader has to share the sorrows and sufferings of the people otherwise he repudiates his claim to leadership. A good past action cannot be a protecting veil for all time and cannot be held out to attract applauses unless the same catholicity and liberality that characterised his past actions is reflected in his present-day practice.

That Jammu, Kashmir and Ladakh are three distinct ~~district~~ linguistic tracts is undeniable. Language is a potent bond which tends to create a discrete entity. Our State is a federated unity and ministration to the separate economical and social needs of each of these tracts is a political necessity. To urge and present the demand of each tract for a more rational and equitable distribution of public expenditure on plans of development and bring to the notice of the Government the reactions and sentiments of people on any particular issue is a duty of every patriot. To view it as yielding to the fissiparous forces of provincialism is hardly fair. Rather I would say that to reject that of unity of the State a measure designed to spend disproportionately more in any one tract is provincialism rank and rough. The glib talk about the unity of the State becomes meaningless if it is indulged in with a view to countering the just and legitimate claims of a tract.

Charges, it is said, are levelled against the Govt. in certain quarters in Kashmir for its extra-proneness towards Jammu in the matter of allotment of funds etc. Further on it is stated at another place that you have facts and figures regarding the progress made in Jammu

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province but that you would not reveal the data lest it proves prejudicial to the "unity" of the State. This drops a hint that more funds are being spent in Jammu than in Kashmir. I dare say this is contrary to facts. I would welcome a statement showing for the last 10 years the expenditure on various development plans separately for Jammu, Kashmir and Ladakh to dispel any misunderstanding on this issue.

As you had rambled into certain platitude so too I have been led into this unnecessary prolixity.

Coming to the central point, I am not a bit convinced by the reasoning given in support of both the institutions (the Medical College and the Engineering college) being opened in Srinagar. That it was in a meeting held at Delhi that Srinagar was selected as the venue for Engineering College is no justification when none at the meeting represented Jammu Province and no reasons which influenced the decision for selection of Srinagar are stated. The only thing stated is that Kashmir has its peculiar terrain and offers scope for training in specialised engieering. The tinsel character of such a reasoning is obvious enough. It is more sophistry. The advantages of peculiar terrain are not lost if the college is established at Jammu. Study tours can, if necessary, be organised as all institutions do.

That Kashmir has a salubrious climate and Kashmir University is rising in the midst of scenic beauty of Naseem and the Engineering College within the University campus would enhance the prestige of the University are all trifles of no moment. If that were so, all institutions in future would require to be located in Srinagar. It is [illegible] and lose sight of the essential points. Jammu Province extends over a wide area and being hilly and without any good system of roads and communications, passage from one part to another is not easy. A man from the extremity of Basohli Tehsil has to traverse a distance of more than 100 miles through hills and gorges to reach Jammu and would take more time than a man who has to reach Jammu from Srinagar. To provide facilities to the people of far-flung areas of Jammu it is essential that at least one of the two colleges may be established at Jammu. The Medical College may be

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opened in Srinagar but the Engineering College should, I may urge again, be established at Jammu.

Concluding I may add it is the lot of a leader to face comments and criticism. No leader is born faultless and finished but is ground into shape by shocks of the opposition groups. If he reacts rightly and weighs and assesses the criticism correctly, he scales the heights of power and wins the love and respect of the people.

Yours etc.

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Resolution Passed in the working committee meeting J.S.K.P.P. on 8th August 1956.

The accession of the State with the Indian Union i.e. the recognition of the principle that Bharat including Kashmir is one country and the corollary that the whole country should have one constitution naturally follows. There cannot be two constitutional set ups in the same country and if the principle is allowed to be compromised in respect of party of the country it will encourage the other parts to follw the track and hence the National integrity will gave way to the disruptive elements to play their mischief.

Principally Historically and geographically the Kashmir is a part of Bharat and hence the people living in Kashmir should also enjoy the same funlamental rights and have the same constitutional safe guards as the people living in the rest of India. To maintain the National integrity Kashmir should also have the same constitutional set up as the rest of the country. This is the aspiration of the people living in Jammu and Kashmir state. It will restore normalcy and end all uncertainty about the future of the state.

The disclosures of the Prime Minister of the State about the seperate constitution for the State, during the recent Press Conference in Jammu led us to the conclusion that he wants to foster the spirit of seperation curb the civil libertios of the people and hold the present rulers to perpetuate their hegemony

The people have further been given to understand that there will be a Bicameral housed for the State which will besides doing any good further add to the heavy administrative machinery for the poor people living therein. We view these trends with great concern.

It is, therefore, imperative that in the matter of fundamental rights complete jurisdiction of the Supreme court, control of and supervision by Auditor General and Election Commissioner, the State Constitution should not have dissimilar provision. It is further a matter of great concern that the people of the State should not be given representation in the Lok Sabha by direct franchise. The amendment introduced in article 81 of the constitition of India for the State is detrimental to the interests of the people inasmuch as they have been deprived of their rights to select their representatives of the Lok Sabha. This procedure of nomination has deprived the electorate to give their verdict on All India matters.

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We were given to understand in the year 1953 at t
time of withdrawal of the agitation that the people of the
Jammu Province will also be taken into confidence whenever
any major problem of the State will be solved. It is pity
that the Prime Minister of the State has not ~~[illegible]~~ proper
to fulfilled the promises and instead has fostered
everything according to his own choice. ~~[illegible]~~
further given to understand that the people of Jammu
would be taken into confidence while framing
the constitution. The highhandedness of the present
Government has ignored the people of the Jammu and we are
not given any opportunity to discuss and express our
views, on such vital matters as that of the framing of the
constitution. This meeting of the Working Committee of the
Jammu and Kashmir Praja Parishad views the present circumstance
with great concern. The Committee firmly believes
that seperate constitution in the State is not a
solution as put forth by the ruling clique but will complicate
the issue. The committee firmly believes that the application
of the Indian Constitution in its entirety to the State only can
restore law and order in the State and thus create confidence
amongst the people about their lot. The Committee makes it
clear that unless the Constitution of Bharat is applied in
toto to the State they would not be a party or would not suffer
imposition of any [illegible] which is [illegible] with a view
to satisfy the [illegible] and communal tendencies.
[illegible]

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RESOLUTION PASSED IN THE WORKING COMMITTEE MEETING
OF J&K PRAJA PARISHAD ON 8TH AUGUST 1956.

....

The accession of the state with the Indian Union is the recognition of the principle that Bharat including Kashmir is one country and the corollary that the whole country should have one constitution naturally follows. There cannot be two constitutional set ups in the same country and if the principle is allowed to be compromised in respect of one party of the country it will encourage the other parts to follow the track and hence the National integrity will gave way to the disruptive elements to play their mischief.

Principally, historically and geographically ~~the~~ Kashmir is a part of Bharat and hence the people living in Kashmir should also enjoy the same fundamental rights and have the same Constitutional safe guards as the people living in the rest of India. To maintain the National integrity Kashmir should also have the same constitutional set up as the rest of the country. This is the aspiration of the people living in Jammu and Kashmir state. It will restore normalcy and end all uncertainty about the future of the state.

The disclosures of the Prime Minister of the State about the seperate constitution for the State, during the recent Press Conference in Jammu led us to the conclusion that he wants to foster the spirit of seperatism curb the civil liberties of the people and hold the present rulers to perpetuate their hegemony.

The people have further been given to understand that there will be a bicameral house for the State which besides doing any good will further add to the heavy administrative machinery for the poor people living therein. We view these trends with great concern.

It is, therefore, imperative that in the matter of fundamental rights complete jurisdiction of the Supreme Court, control of and supervision by Auditor General and Election Commissioner, the State constitution should not have dissimiler provisions. It is further a matter of great concern that the people of the State should not be given representation in the Lok Sabha by direct franchise. The amendment introduced in article 81 of the constitution of India for the State is detrimental to the interests of the people inasmuch as they have been deprived of their rights to elect their representatives of the Lok Sabha. This procedure of nomination has deprived the electorate to give their verdict on ALL India matters.

We were given to understand in the year 1953 at the time of withdrawal of the agitation that the people of the Jammu Province will also be taken into confidence whenever any major problem of the State will be solved. It is pity that the Prime Minister of the State has not fulfilled the promise so much so that he has ignored the people of the Jammu and we are not given any opportunity to discuss and express our views, on such vital matters as that of the framing of the constitution. This meeting of the Working Committee of the Jammu and Kashmir Praja Parishad views the present circumstances with great concern. The Committee firmly believes that seperate Constitution in the State is not a solution as put forth by the ruling clique but will complicate the issue. The Committee firmly believes that the application of the Indian Constitution in its entirety to the State can alone restore law and order in the State and thus create confidence amongst the people about their lot. The Committee makes it clear that unless the Constitution of Bharat is applied in toto to the State they would not be a party or would not suffer imposition of any step which is taken with a view to satisfy the seperatist and antinational tendencies.

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RESOLUTION NO.

The recent disclosures of the Prime Minister of the State with regard to have a seperate Election Commissioner in the State is against the National wishes of the people. The past experience of the people during the last general elections and the civic elections has created a belief in the people that the Government does not believe in holding free and fair elections. The device of having seperate Election Commissioner is intended to 'win' the elections by dictatonal and in a most highhanded manner. The people living in the State want the sureties that the past methods adopted to reject the nominations papers of the opposite candidates and the distribution of the sealed ballot papers to their own people to be cast in favour of their own candidates would not be repeated.

During the past elections the appointment of presiding and poling officers having party affiliations has shaken the confidence of the people in the fairness of the elections and has rather created a belief in them that the elections in the State would be as usual farcical and they would have no end of their miseries in view of these circumstances.

During the last Assembly Elections some seats were reserved for Harijans. The Parishad is not opposed to the reservation of seats for Harijans but it strongly advocates that double member constituency system as prescribed in the Indian constitution should be introduced in the State to safeguard the rights of people other than Harijans living in the State. There is no cogent reason why the elections in the state should be held in different times at different times when elections are to be held within fifteen days simultaneously throughout the country having different climatic and transport conditions in its various parts.

No census has been held in the State form the last 15 years and therefore Jammu Province has not been given adequate representation in the Assembly according to its population which is in no way less than that of the Kashmir Province and instead of equal representation being alocated to it the ratio of the seats allotted to the two Provinces is alarmingly unproportional.

The ministerial interference in the recent elections was quite evident. Encouraged by their interference the local executive Officers also exceeded their powers and did all that they could do to please their masters - their Ministers-in-charge. It had its prejudiced the elections to a great deal.

The working Committee of the Praja Parishad resolves that

1) The elections to the State Assembly should be held under the direct control and supervision of the Election Commissioner of India simultaneously throughout the State.

2) That there should be double member constituencies in the re erved consituencies and the two provinces be given equal representation.

3) That the two Provinces of Jammu & Kashmir be given equal representation.

4) That the people of the State should have a right to send their representatives to the Lok Sabha on the direct frenchise system rather than the present nomination.

5) That the Ministry should be dissolved at least one month before the elections.

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RESOLUTION NO.

The Panchayat elections so far held in the different parts of our State have been held in some most illegal and arbitrary manner. No rules for the conduct of the elections have so far been ~~found~~ framed as provided in the act. The applications of the opposite party candidates have been illegally rejected and those belonging to the ruling party have been accepted even in the presence of the great disqualifications that they possess. No dates ~~have been~~ were announced in the villages before the conducting of the elections. Seats in the Panchayt are also being filled by nominations which are done to accommodate the members of the party in power.

The present Panchayats set up by the Panchayat Department are a slur on the name of democracy.

The working Committee of the Praja Parishad have viewed these instances with great concern and resolves that the panchayats so far illegally set up should be dissolved and the proper elections be held according to law with a timely information to the people of the villates where elections are to be held.

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STATEMENT ISSUED BY SHRI N. C. CHATTERJEE, M.P., PRESIDENT ALL INDIA HINDU MAHASABHA, ON 29th JULY 54, AT JAMMU.

* * * * * * * * * * * * * * * *

The new Constitutional set up has certainly brought India and Kashmir closer. People who fought for integration of the State with India have been partially vindicated. The Supreme sacrifice by Dr. Symaprasad Mockerji has not gone in vain.

The great betrayal has been averted but for a struggle and sacrifice made by thousands of people last year Kashmir would have been lost to India. The sinister force which were oporating in the interest of Alien Imperialism were checkmated in time. The Divine Retrilution came sharp and swift. Those leaders who condemned us as enemies of India realised their tragic blunder and found out who was the real enemy of India.

Now is the time for greater construction work towards achieving through consolidation. The hysterical out bursts of Pakistan Politicians who are suffering from peculiar complex due to the Pak-U.S.A. Pact should make us realistic in our approach to the problems of Kashmir.

Our main stand was that Kashmir's accession to India was final and irrevocable and that under the Constitution Kashmir was an integral part of India. We are happy to find that the latest pronouncement of the Kashmir Premier condirms our stand. India should no longer play into the hands of her enemies and strengthen the allies of Pakistan by senseless repetition of any talk of plebescite. Once the announcement is made that the Kashmir ~~Constituent~~ issue has been finally solved and settled, once it is accepted that the decision of the Kashmir Constituent Assembly as to the finality of the Accession represents the clear expression of popular will, plebescite should be burried fathems deep and this unfortunate State should no longer be plunged into anarchy and confusion. Let those who are the enemies of India bark across the border but the caravan should go on andwe should do everything in our power in India to make the cohesin closer and organise and raise the masses to a higher economic and cultural level. Those who have raped Democracy in East Bengal cannot ask for plebescite in Kashmir.

It is my painful duty to refer to some of the defects in the constitutional and economic set up. The functioning of the Supreme Court of India in Kashmir points to close cohesion in the field of law and Justice. But the great draw-back is that serious encroachments have been made both on civil liberties and on the senctity of private property. It is a matter of regret that Art. 136 of the Constitution has not yet been applied to the State, and no citizen of the State can apply to the Supreme Court for special leave against the judgement of the local High Court. That position should be immediately paced on a satisfactory footing.

More over Art. 19 of the Constitution which guarantee basic human right has been made practically negatory in Kashmir because of a special rider which makes existing legislation abrogatory fundamental rights not questionable, in courts of law again the denial of any compensation to expropriated owners practically amounts to naked confiscation. This is against the spirit of the constitution of India.

With regard to the Agarian legislation there is another serious blot. It is absolutely unfair that when people have been allowed to keep land to the extent of 22 acres(i.e. 182 Kanals) there is great disparity with regard to the amount of rent reliazable from tenants. The legislation is somewhat grotesque. Upto 99 Kanals the land owner can realize 1/2 of the produce but if he has 101 Kanals he can get only 1/4 of the produce. It is a matter of regret that although Wazir Committee has made strong comments on the inaequality of the legislation, the Govt. has not taken steps to redress the wrong.

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I am distressed to learn from Jammu leaders that the policy pursued by the party in power has not helped the Economic, Cultural, andpolitical solidarity of the province. The real leaders of the people are neither associated with the Govt. nor in the legislature.

Recent elections of the Town Area Committees show that those are now associated with the Government have no following in the province. I would appeal to Bakhashi Ghulam Mohammad to take Parishad leaders into confidence. They are not for loavs and fishes or office. Their demand is for provincial autonomy and for participation in effective political power to build up a new Jammu & Kashmir state. The five year plan should not be run on party lines andtheir should be genuine anxiety to secure the co-operation of all sections of the people. Hindi the National language is not receiving due recognition. The people of the province that the treatment of the by the government is step-motherly. There are only two colleges for the whole of the Jammu province with the population of 13 lacs whearas there are nearly eight colleges in Kashmir province with the population of 16 lacs.

It is a short sighted policy that the state forces who shed their blood for the integrity of the state should be disintegrated or disbanded. It is also unfortunate that unemployment is on the increase in this province and it is adding to the frustration of the people.

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ALL INDIA BHARATIYA JANA SANGH
Central Office.
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Poona
Dt.6-10-56

Resolutions adopted by the All India Working Committee held under the Presidentship of Principal Devprasad Ghosh at Poona on 6th and 7th of October 1956.

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Resolution
No.1

CONDOLENCE

The Working Committee of the Bharatiya Jana Sangh records it's heart felt condolence over the demise of Shri. Chiranjivlal Misra former President of Rajasthan Provincial Jana Sangh, Shri. Gajananrao Deodhar, Treasurer, Gujrat Jana Sangh and Shrimati Shaktidevi Aggarwal, Jana Sangh worker of Agra. It prays to God to give peace to their soul and strength to the bereved families to bear the loss.

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KASHMIR.

I

The Working Committee of Jana Sangh notes with regret that even after the accession of Jammu and Kashmir State to the [redacted] of India had been duly ratified by the State Constitu[redacted]ssembly, the Government of India is insisting upon Jammu and Kashmir Government having a separate Constitution. This is a pernicious thing and is fraught with great danger for the unity of India. It is high time that Article 370 of the Constitution of India, which made a provisional arrangement for Jammu and Kashmir State were repealed and that state brought fully in line with the other states in India in the new set up of States Reorganisation. The Working Committee of the Bharatiya Jana Sangh, therefore, demands that the provisional Article 370 of the Constitution of India be immediately repealed and the Constitution of India be applied to Jammu and Kashmir State in toto. This is essential to curb the forces of separatism in the Jammu and Kashmir State and to consolidate Indian unity.

II

The Committee is also pained to find that the hopes raised by the assurances of the Government of India and Government of Kashmir after the Jana Sangh movement and martyrdom of Dr. Mukherji to bring the State in line with the rest of India and do justice to the people of Jammu have not been fulfilled. Discrimination in the matter of recruitment to services, of allottment of funds under the Five Year Plan for the development of Jammu, and repressive policy against the Praja Parishad are continuing to the great distress and dismay of the people in general.

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Resolution
No. 4 Cont'd....

The Working Committee, therefore, urges upon the Government of India, as also upon the Government of Jammu and Kashmir State, to take necessary steps to remove the genuine fears and sense of injustice prevailing in the minds of the people of Jammu in the interest of peace and unity of state as integral part of India.

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Cont'd..

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Copy of an Editorial of Amrit Bazar Patrika dated 14th April, 1952.

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Sheikh Abdullah's latest speech on Kashmir's claim to the fullest autonomy within the framework of Indian Republic deserves more than a passing notice, for it has raised grave political and constitutional issues which are of vital importance to the people of Kashmir and of the rest of India. He said that the special status given to Kashmir in India's constitution was necessitated by several considerations based on "inescapable realities". Explaining the nature of these "inescapable realities" he said : "For one thing it was realised at that time (i.e. at the time of framing the constitution of India) that Muslims and Hindus and Sikhs of Kashmir had problems of their own to solve in the State. We had just then emerged from the Pakistani invasion and great perils were still surrounding us. These factors had created a special situation which could not be ignored." We do not think that the first of these "factors" i.e. the problems of the different communities living in Kashmir, had anything to do with the special status accorded to the State by framers of the constitution. Every State in India has its local problems and local interests and if the limited autonomy conferred on other States has enabled them to deal satisfactorily with those problems and interests, there is no reason why Kashmir should require a larger measure of autonomy. In all probability it was the situation created by the Pakistani invasion of Kashmir which led Shri Nehru and the late Sardar Patel to give the State a privileged constitutional status. At that time it was not clear whether the people of Kashmir really wanted the accession of their State to India. Sheikh Abdullah's own position was somewhat precarious. The future of the ruling dynasty was uncertain. Pakistani propaganda was trying to convince the world that both "the Hindu Maharaja" and the Muslim premier were puppets of New Delhi. It would have been obviously unfair for the Government of India to insist at that time of confusion that

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at that time of confusion that Kashmir should immediately accept a status analogous to that of the other component units of the Indian Republic. That is why Article 370 of the Constitution gave Kashmir two important privileges denied to other States: the right to frame her own constitution through a Constituent Assembly and the right to nullify or modify her accession to India.

According to Sheikh Abdullah, the reasons which had impelled Shri Nehru and Sardar Patel to insert that Article in Constitution "had not lost their force even today". On this point we regret to find ourselves unable to agree with him. Most of the problems created by Pakistani invasion have been liquidated in the last four years. The people of Kashmir have been watching since January 26, 1950, how the Constitution of India works in practice and to what extent it enables the Centre to interfere in the internal affairs of the Part B States. They have noticed how the Government of India and the people of the rest of India are anxious to help them in their political and financial troubles. Have they found any reason of suspect that their autonomy and their rights will be seriously jeopardised if they voluntarily gave up their special status in order to forge a closer link with India? Sheikh Abdullah said: "If there is no special status for Kashmir in the Indian Constitution, how can we go to the Muslims in Kashmir and convince them that India does not intend to interfere in the internal affairs of Kashmir?" Does not the constitution of India provide any guarantee against undue interference by the Centre in the internal affairs of the States?

After all our constitution is federal, not unitary, and the States enjoy a very large measure of autonomy in internal affairs. It is only in times of crisis caused by foreign invasion or internal rebellion that the over-riding authority of the Centre can be imposed on the States. How can Kashmir expect India to defend her against foreign invasion if she insists on her complete autonomy even in times of national

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(Contd.P.3)

danger? Apart from this, Kashmir is to a large extent economically and financially dependent on India. How can she expect continous economic and financial assistance from New Delhi if she insists that her contact with India must be confined to three subjects-defence, foreign affairs and communications? How can Kashmir's representatives in Parliament take part in discussion and voting on internal affairs of other States if Kashmir does not submit to Parliament's authority in respect of subjects other than these three? It is natural for the spokesman of Kashmir to approach the constitutional problem from the stand-point of his own people. But the Indian point of view should not be entirely overlooked. It is not in a spirit of selfish bargaining that large and important sections of Indian public opinion demand closer integration. On such integration, they are convinced, depends the welfare of Kashmir-political, financial and cultural.

Sheikh Abdullah's observations on communalism in India will, we are afraid, cause widespread surprise and regret all over the country. "No one can deny, he said, " that communal spirit still exists in India." Such a statement might have come from a Pakistani propagandist; it was the least expected from a liberal Statesman who knows India very well. In such a vast country there must be some individuals and groups-not only among the Hindus-thinking on communal lines; but the material point is whether they can exercise any influence on Governmental policy or public opinion in general. It would be absolutely wrong to say that judged by this standard, communalism is still an active force in Indian politics. Yet Sheikh Abdullah thought it necessary to speak of the possibility of "resurgance of communalism in India" ; He also said: "Many Kashmiris feel what will happen to them and their position if, for example, something happens to Pt. Nehru". Shri Nehru is certainly the greatest champion of secularism in India today, but Sheikh Abdullah is completely mistaken if he thinks that his life is the sole dam which keeps the tide of

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(Contd.P.4)

communalism away for the time being. The gospel of secularism has sunk deep into the heart of India. The Father of the Nation did not sacrifice his life in vain. The India created by Gandhi and Nehru will remain true to that gospel despite provocation from Pakistan and unfounded suspicions of well meaning friends.

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Copy of an Editorial of Amrit Bazar Patrika dated 16th April 1952 under the heading " Autonomy of Kashmir (II)."

Sheikh Abdullah's plea that "Kashmir's accession to India will have to be of a restricted nature so long as the communalism has a foothold on the soil of India", on which we commented yesterday, has been criticised sharply by the leader of the Jan Sangh, Dr. Shyam Prashad Mukerjee, and a top ranking leader of the Socialist Party, Shri Ashok Mehta. Dr. Mukerjee has referred to "a strong volume of opinion in Kashmir" against the ruling party's decision on the vital question of accession. It is well known that the All Jammu & Kashmir Praja Parishad is strongly in favour of full accession. For several reasons the views of this party have not yet received adequate publicity. Dr. Mukerjee rightly says : "if there are sections of people who honestly believe that full accession to India can alone save and consolidate Kashmir, they should be allowed unfettered right to express their opinion". Democracy can never flourish in Kashmir if opinions expressed by minority groups on the basic constitutional problem of the State are suppressed or ignored. And although the people of Kashmir have the unfettered right to decide their own political future their decision on this matter vitally concerns India. Dr. Mukerjee has, therefore, quite appropriately ~~insured~~ insisted that "the people of India must be alert and raise their voice before it is too late."

It is extremely regrettable that what is essentially

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a political-cum-constitutional issue has all on a sudden been dragged down to the level of a communal problem. For this Sheikh Abdullah's injudicious statement is solely responsible. He might have said that Kashmir's political and economic interests demanded a larger measure of autonomy than what the other component units of the Indian Federation enjoyed under the Constitution. It would have been possible to discuss that proposition in a dispassionate manner. But he declared that he could not "join India without any kind of mental reservation" so long as he was "not convinced about the complete elimination of communalism in India". In a sense this was putting the cart before the horse. Shri Asoka Mehta has rightly said, "The development of secularism in our country cannot be the responsibility of one section or the other in the country. In that task we are entitled to expect the co-operation of Sheikh Abdullah and the people of Kashmir. To say that such co-operation would come only after secularism has been established in this country is to ignore the dynamics of the situation". Instead of playing the constructive role of fostering secularism in collaboration with Shri Nehru the Premier of Kashmir has suddenly decided to strike a bargain. He must be "satisfied that the grave of communalism has been finally dug in India" before he can think of full accession to India. He quietly dismisses the arguments in favour of full accession as "unrealistic, childish and savouring of lunacy". These are not words expected from the responsible leader of a political party discussing a grave constitutional issue.

We hope the Premier of Kashmir has thoroughly studied the constitutional implications of "restricted accession". At present only two Articles of the Constitution (Article 1 and 370) are applicable to Kashmir. Under Article I Kashmir is an integral part of India, but articles 5-11 (dealing with citizenship) do not apply to Kashmir. Can the Kashmiris claim Indian citizenship? Is it not possible that the right of

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Kashmir's members to sit in Parliament may some day be challenged under Article 102(1)(d)? Again Articles 12-35 (dealing with Fundamental rights)do not apply to Kashmir. This is a grave anomaly. A citizen of India (under Articles 5-11) going to or living in Kashmir cannot claim those sacred rights to which he is entitled in all other States in India. In this respect the position of an Indian citizen in Kashmir is in no way better than his position in, say, Pakistan.

Article 370(1)(b)lays down that the power of Parliament to make laws for Kashmir shall be limited to certain matters prescribed by the President of India "in constitution with the Government in State". Accordingly the Constitution (Application to Jammu & Kashmir)Order, 1950, issued by the President, lays down, in the first place, that Parliament's law making authority in relation to Kashmir would be confined to 39 entries (out of 97 entries)in the Union List, and, secondly that some other Articles of the Constitution (in addition to Articles 1 and 370)would apply to Kashmir subject to specified modifications. These modifications include omission of important Articles relating to the Supreme Court(Articles 135, 136, 138)disputes relating to waters(Article 262)Inter State Council (263)distribution of revenues between the Union and for the States(Articles 268-281)miscellaneous financial provisions(Articles 268-291)elections(Articles 325-329). Scheduled tribes and Areas(Articles 338-342)etc.

The implications of such a complicated system should be thoroughly studied by legal constitutional, financial and administrative experts before politicians dominated by unfounded fears and intangible sentiments take an irrevocable decision. Some of the most serious difficulties involved in it may be referred to. As Entries 82 and 83 of the Union List do not apply to Kashmir, the Centre cannot levy income tax and customs duties, including export duties, in that State. As a matter of fact all the items of Central revenue included in entries 82-92 are excluded from the Centre's Jurisdiction

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so far as Kashmir is concerned. Why should the other States bear the burden of financing Kashmir's defence if that State claims the privilege of reserving all these important items of revenue for itself? A federation is a co-operative enterprise;every unit must accept its share of liabilities before it can claim a share of rights and privileges. Again,Articles 352-360(Emergency Provisions)do not apply to Kashmir. Although the Centre is solely responsible for the defence of Kashmir against external aggression it cannot exercise in respect of that State those extraordinary executive and legislative powers which it can exercise in respect of all other States under Article 353. If the State Government refuses to cooperate with the Centre,or if a disagreement arises between the two the Centre will have responsibility without power. And Kashmir's intransigence for lukewarmness may jeopardise the safety of the whole of India.

Presiding over the Bombay session of the Congress in 1934 Dr.Rajendra Prashad said with reference to Sir Samuel Hoare's federal scheme:"it is a kind of federation which has no parallel in history... There is absolutely no mutuality in any respect;the Prince's nominees will have equal rights with the elected representatives of British India to interfere with the administration of British India without British Indian representatives having any the least voice in the administration of the States...". If Sheikh Abdullah's plan is accepted we shall have a federation in which Kashmir's representatives in Parliament will have the right to interfere in the affairs of the rest of India without the representatives of other States having any the least voice in the affairs of Kashmir. Are we going to have such a federation without mutuality in any respect".

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(Copy of Edetorial under the heading "Clarification" published in Amrit Bazar Patrika dated 16th April 52).

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agony on account of invasion by Pakistan. Nothing that Pakistan may say or do in the way of propaganda can shake the bonds of kinship between India and Kashmir. But if Sh. Abdullah repeats the the charge or the suspicion that India is ridden with communalism we cannot, but be painfully surprised; for this is practically the propaganda of Pakistan. It was equally untrue and tremendously mischievous too, to suggest that Sri Nehru is the solitary figure that stands between India's secularism and the resurgence of communalism in this country. Has not Sh. Abdullah seen with his own eyes/ that the Muslims here are as much safe as any other community? If he knows this as a fact, was it proper for him, to say the least, even to give currency to the thought that communalism prevails in India to such an extent that Kashmir cannot think of making her bond with India close?

The Government of India and public opinion in this country have made it clear that it is for the Kashmiris to decide whether they would agree to extend the limit of the present terms of accession. There is no doubt there is a section of public opinion that would like that Kashmir should make the bond of union closer by extending the limit. If this suggestion has been made it is not at all with a view to "swallowing Kashmir" What does India hope to gain by depriving the Kashmiris of their autonomy which has been recognised in the Indian Constitution? But is it not legitimate to point out that India could not possibly continue to drain her own resources for the protection of Kashmir in the manner she has done in the past and has been doing now? India has already spent more than 200 crores of rupees for the defence of Kashmir and has still been spending large sums of money for the purpose. If Kashmir is to be "100 per cent sovereign", as Sh. Abdul[illegible] says, does he not realise that his Government sh[illegible] take the responsibility of contributin[illegible] protection of [illegible]

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to expect that the Government of India should bear alone that responsibility? Is it possible for public opinion in India to support an arrangement like this ? It is not in a spirit of bargain that the suggestion has been made that Kashmir should extend the limit of her accession voluntarily in the matter of economic relationship at least so that the people of Kashmir may assist the Govt.of India in bearing the Military burden for the protection of the State.

We are glad to be assured by Sh.Abdullah that the relationship existing between Kashmir and the rest of India was "irrevocable" and that "no power on earth could rend us asunder". The people of India fully reciprocate that sentiment. But can they not expect at the same time that Kashmir should also deal fairly with them as they have been doing ? In this background can anybody doubt that the views and sentiments expressed by Sh.Abdullah are,to say the least,unfortunate? Even Sri Nehru has been forced to find an excuse for his friend's speech.He believes that Sh.Abdullah was too much obsessed in his mind with the agitation by the Praja Parishad. He has blamed the Praja Parishad for it,admitting at the same time that it was legitimate for the Parishad,as for any body else,to suggest that there should be more unified relationship between Kashmir and the rest of India. We do not think that Sri Nehru is justified in laying all the blame on the Parishad for the unfortunate speech of Sh.Abdullah. Nor do we think it was proper on his part to play the role of a halting Advocate in defence of an indefensible policy.

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FOLLOWING IS THE FULL STATEMENT OF SHRI DURGA DASS VERMA GENERAL SECRETA ALL JAMMU & KASHMIR PRAJA PARISHAD JAMMU RELEASED TO THE PRESS ON 25.6.53.
* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

The terrible tragic death of Dr. Shyama Prasad Mookerjee in mysterious circumstances is a blot on the name of Government of India and that of Kashmir. It is a great loss not only to the family of the deceased but to the whole nation. The nation was not apprised of his illness till he expired. Even his colleagues in the jail were not allowed to see him alive after he was removed from them two days before. Even in the autocratic British rule the nation was always kept apprised of the state of health of its accredited leaders behind the bars however little indisposed they might be. All these are cogent reasons to believe that the Government of Kashmir and consequently that of India acted with callous indifference If he was so seriously ill, was it improper or impossible for the State Government to ask the Government of India for best medical treatment and let the accredited leader pass away uncared for. Hence his end cannot be believed to be in natural circumstances. Praja Parishad will not rest satisfied till a searching enquiry is made into the causes of his death.

Even the sad news of his expiry was deliberately kept secret for full forteen hours to add to our doubts and it was only at 12-30 Pm. that the Kashmir Radio broke this sad news to the public. This gave a rude shock to the people and the whole of Jammu was plunged in profound grief. At the call of Praja Parishad the whole of the Province observed Hartal and took out mourning procession and paid their respectful homage to Dr. Shyama Prasad Mookerjee. As already announced all shops markets and cinema houses remained closed on 24th June as well, The unprecedented peaceful mourning procession of about 40,000 men and on 23rd June caused great consternation to the Government. To avenge their previous day defeat, the Government planned to demoralize, hara and victamize the surging aggrieved mass. Since early morning on 24th Ju 53 there was a big show of armed police, malitia and military in th streets of the city. The small groups of mourners which were to as in one big mass according to the programme were frequently Lathi-chrged, tear gassed and fired at indiscriminately injuring several persons two of which are reported to be serious. The action of the police in mishandling the peaceful mourners is strongly condemned.

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It is sad to note that the Government where Dr. Mookerjee passed away in shrouded circumstances, was so discourteous as not to close its offices and institutions. Even its flag was not flown at half mast as a mark of respect. Instead its Radio added insult to the injury by relaying joyous gramophone records. This was resented by the public in the mass gathering on both days.

The whole country being overwhelmed with grief I think in fitness of the circumstances to suspend the movement for thirteen days in memory of the deceased. Dr. Mookerjee has met a martys end. He fought and laid his life to bring Kashmir closer to India. This supreme sacrifice has deepened and strengthened the link, tried to be kept loose by interested circles. Praja Parishadd is determindd to follow his path and will not leave agitating with renowned vigour and greater inspiration till au demands are conceded. But no sacrifice would be greater to give right direction to the Government of India and that of Kashmir.

JAI BHARAT.

(Sd) DURGA DASS VERMA
GENERAL SECRETARY
ALL JAMMU AND KASHMIR PRAJA PARISHAD
J_A_M_M_U_.

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Following is the Statement of Yogin Chand, Advocate,
Labour Secretary, Prajaj Socialist Party and
Jawahar Lal Kapur, Advocate, Secretary Praja Socialist Party.

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## PRAJA PARISHAD AGITATION

We have been closely following the trend of events in Kashmir before and after the agitation started by the Praja Parishad. We entirely agree that Kashmir is not a party question and should always be dealt with on a National level. It is to be regretted that by his speeches Sheikh Abdullah has further complicated the whole issue. A problem which should have been dealt with in statesman-like manner is being mishandled and cover is taken behind cheap slogans. To dub anybody as communal who differs from you is evidence of a fascist tendency which must be resisted at all costs. We refuse to believe that nationalism is the monopoly of Sheikh Abdullah or even for the matter of that of Shri Jawahar Lal Nehru our Prime Minister. The Indian masses consisting of all communities are nationalist to the core and the utter rout of communal parties in the country is clear evidence of this nationalism. To raise the bogey of communalism in season and of season is bound to bring down the prestige of India in the international world and this cheap sloganism must be put an end to. The days of monopoly are over and nationalism is not a preserve of only a party or a set ofindividuals however elevated they may be.

It has been admitted by Shri Nehru that some of grievances of the people of Jammu are genuine and that there are economic difficulties too. Sheikh Abdullah's reply to this is an insult to all intelligent and thinging individuals. Instead of facing facts and trying to remedy the grievances he says that Shri Nehru did not consult him while writing the Presidential address and that economic difficulties prevailed throughout the State. As an administrator there can be no greater failure than that Sheikh Sahib has alienated the sympathies

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of the people given under his charge. He is there not to rule Kashmir but to serve it. We make bold to assert the Sheikh Sahib himself is responsible for this agitation. The halting and half-hearted manner in which he has acceded fearing that his power might decrease is responsible for all this confusion and turmoil in all this confusion and turmoil in the State. He talks of a proper atmosphere for all this. Is this atmosphere to be imported from heaven? India has done everything to create this atmosphere. It has given blood and money to save Kashmir at a time when the predatory borders were let loose. India sacrificed for a principle in which the masses in India have firm faith- that of secularism. Is it not a betrayal of the soldiers who gave up their lives and the people of India in the cause, of Kashmir to accede to India with reservations? Sophistry cannot help Sheikh Sahib for long and the dry light of reason is bound to pierce the cloak of darkness and intrigue. Even the agreement reached has not been implemented and the reason advanced is that as Praja Parishad started the agitation it could not be done. It is simply ridiculous and is again an attempt to confuse and confound the people.

We are firmly of the opinion that the Central Government with its weak-kneed policy is responsible for this deplorable state of affairs in Kashmir. After the death of the builder and consolidator of India, the late Sardar Patel, of respected memory, the Central Cabinet has been denuded of a strong administrator. The Central Government should have moved in the matter if it found as has been admitted that grievances of the people of Jammu were genuine and there were economic difficulties. While we strongly deprecated the demand for the accession of only Jammu and Ladakh provinces with India we deem it essential that the following steps must be taken to save the situation from further deterioration.

(1) The Union Flag must have precedence over the State Flag and it should be on every Government Building. It is under this flag that blood

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has been spilled like water and the present regime in Kashmir exists because the soldiers and the hard steel saved the valley of Kashmir from the barbaric invasion and made it safe for secularism and democracy.

(ii) The jurisdiction of the Supreme Court should be extended to Kashmir.

(iii) There should be complete financial integration of Jammu and Kashmir with India.

The administration in the State also needs to be over-hauled. It should be run on modern democratic lines as in the Indian Union. Useful laws like the Prevention of Corruption Act the product of the genius of that great prodigy, Shri Kailash Nath Katju, our Minister for Home Affairs, should be introduced without delay. It is surprising that in every enactment about application to Jammu and Kashmir it is always excluded.

India and Jammu and Kashmir have to sink and swim together. It is a decree of fate that they cannot be separated, for they subscribe to the same ideals of human brotherhood. While we congratulate Sheikh Abdullah for his land reforms in the State, which are a great advance, we expect that he will have the forsight and vision to act in a statesman-like manner and not take shelter behind cheap slogans and hollow arguments which will not stand the test of reason before intelligent minds.

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## TO THE GOVERNMENT EMPLOYEES

Brothers and Sisters,

While I fully realize how hard it will hit you to with draw from Government service in response to my call for complete non-co-operation with the Abdullah Government to commence from 16th January, 1953; yet I cannot help appealing country-wide state employed community to put in their share at this stage of the National movement.

This stage was destined to come and so it has come. Now is the turn of Government servants to jump in and share the National calamity.

True that such a course is likely to aggrevate your economic distress and multiply hardships, but Friends! Nothing good or great was ever achieved without sacrifice.

The restricted accession if allowed to go unchallanged will definitely further the existing mess in the Government services. For the power-intoxicated rulers will get a free hand to crush all political oppositions, a sine-quo-non for the healthy function of a democratic order and virtually a guarantee for the fair treatment in all walks of life. The uncalled for nursing of party interest in the administration at the expense of merit, seniority and fair-play has given rise to genuine apprehensions in the employed community regarding the security and stability of employment. Fact it is that the Government is guilty of gross negligence of the lot of state-servants.

The entry of a large army of immature, inefficient new party-men in the administration has created a suffocating situation for all of you. In fact the way in which appointments,

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promotions, suspensions, and degradations have been carried thro
must have embittered one and all in the services about the purpos
of much advertised democratic order in the state. The irony is that
those who happen to have benefitted by these unhealthy and frequent
shufflings too do not feel secure much less happy.

The inhuman measures which the Government has displayed
to crush the satyagrah campaign and the resultant existing stormy
situation, panic and alarm throughout is sufficient to induce you
to raise your voice against such high handedness. Because the
movement has effected every hut and home.

Brothers !

Your sympathies and moral support is beyond doubt and
unquestionable. But the situation demands sacrifices more than
anything else. To be helpless spectators to this unhappy drama shall
amount to becoming a party to the sinster designs of the party-in-
power as also to the inhuman terror let loose in the state.

Arm chair discussions or heated parades in discussing the
correctness or otherwise of the movement is no solution to our basic
requirement, viz-a-viz:- (1) Full and unconditional accession to
India (2) application of Indian Constitution and Indian glag over
the state, which we honesty consider an open door to salavation
both economic and political.

I hope the Province-wide Government servants shall give
their thoughtful consideration to my earnest appeal and PAUSE AND
PONDER some to support a noble cause aimed at evolving a clean
democratic Government worthy of our professions and encesstoral
heritage under a strong Central Government of India.

JAI BHARAT

Dated Jammu the 15th January, 1953.

(Durga Das Verma)
General Secretary,
All Jammu & Kashmir Paraja Parishad,
JAMMU

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EXTRACT FROM' THE NATION' DELHI DATED 2nd. February 1953.

## ABDULLAH'S OLYMPIAN HEIGHTS.

Sheikh Abdullah is rendering no service either to himself personally or to the Governments of Kashmir and India, by his vituperations and vitroilic speeches, calculated to besmear respected leaders of the opposition, who see in Parishad's agitation for self determination, a moral force which should on no account be sought to be exterminated through brute force which is being employed on a very large scale in the State of Jammu. He can not take away even an iota from the respect and esteem in which those, at whom he endeavours to throw mud, are held by a large section of people in this country, Nor can his expression of injured innocense, hide his real self, which is reflected more clearly in his doings in Jammu, than inthe oratorial floods, in which he seeks to submerge his own designs. The proof of the pudding is in the eating thereof and if Sheikh Abdullah really stands for love, cooperation and secularity, as he wants us to believe, he should give up his speechifying compaign, which can make matters only worse and an understanding difficult and show by his deeds that he is sincere and honest in what he seeks to preach.

As long as his reign of terror subsists in Jammu and he sticks to his vaunts that he would on no account negotiate with the Parishad leaders, he can not successfully pose as well meaning person anxious to bind the State of Jammu & Kashmir in silken ties. He may not like the Parishad' leaders but he should not at the same time forget that the people of Jammu, and their leaders have as much right to dislike him, especially when he can lay no claim to their trust on account of his conduct - past as well as present. By wagging his tongue in an irresponsible manner he can not convince the people of his country that he is right and the Parishad leaders wrong. Abuses, insinuations and wild charges can never be a substitute for arguments and logic. The Sheikh should realise that he is only wasting his words and time in tilting at windmills. He will have to

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placate the Parishad because th y stand for a cause which is both just and right. Why should not he then do it gracefully and in time. If some more time passes, the union of hearts might become well nigh impossible. Let the Sheikh come down from his olympian heights and trosthis solid earth. It is only then that he can see things in their true perspective.

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Statement issued by Pt. Prem Nath Dogra, President, Jammu and Kashmir Praja Parishad.

Bakshi Ghulam Mohammad, Chief Minister of J&K State has been in the capital, discussing the draft constitution reported to have been finalized by drafting Sub-Committee of the Constituent Assembly of the State. We have long been demanding such step as governance of the state in accordance with the provisions of a constituent institution would restore normalcy and end all uncertainly about the future of the State. Praja Parishad however is of the opinion that Jammu and Kashmir State being an intergal part of Bharat, the purpose would have been better served by extending all the provisions of the constitution of Bharat without any exception and modifications to that state. For reasons best known to them the State government donot seem to be prepared to follow this simpley course. We donot know the exact nature of the draft constitution, which are unlikely but it is learnt that there are provisions in the constitution which are likely of foster separatism, curb the civil liberties of the people and help the present rulers to prepetuate their hegemony. We view these trends with great concern. Praja Parishad urges that the constitution should not in fundamentals differ from or violate the provisions of the constitutions of Bharat. It is therefore, imperative that in matters of fundamentals rights, complete Jurisdiction of Supreme Court, Control of and supervision by the Auditor of the General and the Election Commission the State constitution should not have dissimilar provisions. The members of the Legislative should also be elected directly by the people and not nominatedas at present by the President on the recommendation of the State Assembly. This procedure deprives the electorate to give their verdict onall India matters and makes no distinction between the election procedure of the members of the Rajya Sabha.

We had been given to understand that the Praja Parishad and the people of Jammu would be taken into confidence, fully of course, while framing the constitution. Highhandedness of the present government in dealing with the people of Jammu apart, we are not being accorded any opportunity to discuss this

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express our views on such vital matters as the Constitution. We want to make it clear that unless the constitution of Bharat is applied in toto to the State, we shall not be party to or suffer imposition of any constitution which with a view to satisfy the sepratist and Un-national tendencies of some people, curb a fundamental rights and hamper proper development of the people of Jammu, Ladkah and Kashmir or marks attempt to divide the people or demarcate region on communal basis.

(Jagdish Prasad)
Office Secretary.

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(Jagdish Prasad)
Office Secretary.

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STATEMENT ISSUED BY MOHAMMAD UMAR BUTT, PRESIDENT, JAMMU & KASHMIR MUSLIM CONFERENCE, SRINAGAR.

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Having reached at this conclusion after due thought and care that our beloved country has no representative organization which represents the really public feelings of the day. It is a fact and nobody can possibly hide it that the condition of our people goes from bad to worst, and it is possible that soon three among every four of our countrymen will be compelled to leave their national homes in search of their livelihood, which they will hardly be able to find, except at the cost of their very existence.

It may be a fact that the National Conference has successfully represented itself as the leading Organization of Kashmir before the world opinion and their so- called solution through struggle and sacrifice for the twenty years or more. But we are as far away from our goal to-day as we were before - our leaders came into the picture.

From the day our leaders of the National Conference were installed on their 'Gadees' they commenced preaching peace, prosperity and plenty, not to the people but for themselves and to their kith and kins.

The so-called purge in their organization never came about, on the contrary a responsible worker or two if the leaders could find out were thrown out unceremoniously in utter disregard of even the prescribed canons of the organizational principles. In short, there is no place for a sincere and honest worker in the their so-called National Organization.

It is therefore that I appeal to every sincere and zealous patriot and those especially who have shed the blood of their dear and near ones in the struggle for the attainment of their noble end (Freedom) - that they do not retire sad and disappointed or despair but step forward and attempt to bring this organization and its leaders to the right path, allow them no rest or lei[illegible] compel them to put off their anti-social and uncalled for [illegible] and try to [illegible] them to the correct

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path. Let us organize our domestic front and cry halt to the slogans of India and Pakistan, especially when our countrymen are starving and there is hardly any work for our youngmen; when there is no encouragement or any promise of employment to our educated youths, how can we appreciate the hollow cries of freedom and self-determination which our dear leaders utter invariably. It is said that hungry man is an angry man. It can also be said that he can also be irreligious too. He has no meaning for politics as well.

How would our leaders of the conference explain it, is an easy proposition to them. After all this organization of theirs is made up of upstarts. New capitalists extra-ordinarily selfish and corrupt officials and unscrupious middleman whose only worry is how to maintain their immoral hold over the machinery of their organization(Tanzeem).

The only aim of our party should be that we resolve and make it our faith to bring all such defects of their organization to the notice of our people. And it ought to be our duty to invite the attention of our leaders to these irregularities. If they fail to apply their mind in the removal of these defects in their organization or in reforming their administration, the fault will be surely theirs. And our duty will be to take recourse to such methods as our noble Prophet did take 14 hundred years ago and which our great Mahatma followed in the country.

It is said on behalf of these vested interests of our country that nothing should be said or done when schemes for the invasion of our country are well on the way of the completion. It may be a fact as our beloved Sher-i-Kashmir confirms by his recent utterances. What then ? It is our Indian Army's job. It need not and should not worry our Sheikh Sahib and his band of Lieutenants unless, they mean otherwise. They should devote themselves, heart and soul, to the organization of their home front. Unless and until corruption and black-marketing, unemployment and oppression are uprooted from our society and administration of our country, it is no use laying blame on these

Ch. Mohammad Shafi, a member of the National Conference High-Command and nominated M.P.of Kashmir has vainly tried to mislead the ignorant masses of India. He has tried to put the demands of the Parishad of Ek Nishan, Ek Pardhan and Ek Vidhan on the same footings of the fantastic and hollow cries of Pakistan of being one Khuda, one Rasule and one Quran, while addressing a public meeting at Kanpur. This baseless and treachrous propaganda is likely to mislead the public so it is essential to bring the true facts in light.

Ek Nishan, Ek Pardhan and Ek Vidhan can never be put on the same level of Ek Khuda, Ek Rasule and Ek Quran. As the former three are indispensable to keep the integrity of the country. If any one has any difference with any of these, he is free to moblize the public opinion in his favour and get it amended or totally changed and no one is going to grudge or denounce him as an Indian. Even Sheikh Abdullah, who is openly violating the very spirit of these three by carving out a"Republic within Republic"which would ultimately disintegrate the whole of India, has not been declared as Kafir or traitor. The Parishad has only been cautioning the masses about the dire consequences of the so proposed balkinization of the country. As the Parishad is fully aware that if these sepratist tendences are encouraged once can never be put an end to and our hard won freedom could be lost again.

But what is with the latter ? Any one who has even a slight difference with any of these, is not entitled to be a Mohammadon. Apart from the behaviour meted to Hindus and Sikhs by these ~~fanatics~~ fanatics, what is going on with their own brotheren Ahmdiyas? Choudri Sahib knows very well that they are being stabbed, their property looted and women are rapped for only having a little difference of opinion. I would like ask the so called M.P. Would it happen if the integrity of the country is maintained or in/ the disintegration of the mother-land as is proposed by the Sheikh Abdullah's Government?

While maintaining Ek Nishan, Ek Pardhan and Ek Vidhan, we would have India united, powerfull and a strong one, which is the keen

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...b of every right thinking patriot. No well wisher of India would ...e opposed to this basic stand of the Praja Parishad.

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# RESOLUTION PASSED IN THE WORKING COMMITTEE MEETING OF J&K PRAJA PARISHAD ON 8TH AUGUST 1956.

.....

The accession of the state with the Indian Union is the recognition of the principle that Bharat including Kashmir is one country and the corollary that the whole country should have one constitution naturally follows. There cannot be two constitutional set ups in the same country and if the principle is allowed to be compromised in respect of one party of the country it will encourage the other parts to follow the track and hence the National integrity will gave way to the disruptive elements to play their mischief.

Principally, historically and geographically the Kashmir is a part of Bharat and hence the people living in Kashmir should also enjoy the same fundamental rights and have the same constitutional safe guards as the people living in the rest of India. To maintain the National integrity Kashmir should also have the same constitutional set up as the rest of the country. This is the aspiration of the people living in Jammu and Kashmir state. It will restore normalcy and end all uncertainty about the future of the state.

The disclosures of the Prime Minister of the State about the separate constitution for the State, during the recent Press Conference in Jammu led us to the conclusion that he wants to foster the spirit of seperatism curb the civil liberties of the people and hold the present rulers to perpetuate their hegemony.

The people have further been given to understand that there will be a bicameral house for the State which besides doing any good will further add to the heavy administrative machinery for the poor people living therein. We view these trends with great concern.

It is, therefore, imperative that in the matter of fundamental rights complete jurisdiction of the Supreme Court, control of and supervision by Auditor General and Election Commissioner, the State constitution should not have dissimiler provisions. It is further a matter of great concern that the people of the State should not be given representation in the Lok Sabha by direct franchise. The amendment introduced in article 81 of the constitution of India for the State is detrimental to the interests of the people inasmuch as they have been deprived of their rights to elect their representatives of the Lok Sabha. This procedure of nomination has deprived the electorate to give their verdict on ALL India matters.

We were given to understand in the year 1953 at the time of withdrawal of the agitation that the people of the Jammu Province will also be taken into confidence whenever any major problem of the State will be solved. It is pity that the Prime Minister of the State has not fulfilled the promise so much so that he has ignored the people of the Jammu and we are not given any opportunity to discuss and express our views, on such vital matters as that of the framing of the constitution. This meeting of the Working Committee of the Jammu and Kashmir Praja Parishad views the present circumstances with great concern. The Committee firmly believes that seperate Constitution in the State is not a solution as put forth by the ruling clique but will complicate the issue. The Committee firmly believes that the application of the Indian Constitution in its entirety to the State can alone restore law and order in the State and thus create confidence amongst the people about their lot. The Committee makes it clear that unless the Constitution of Bharat is applied in toto to the State they would not be a party or would not suffer imposition of any step which is taken with a view to satisfy the seperatist and antinational tendencies.

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RESOLUTION NO.

The recent disclosures of the Prime Minister of the State with regard to have a seperate Election Commissioner in the State is against the National wishes of the people. The past experience of the people during the last general elections and the civic elections has created a belief in the people that the Government does not belief in holding free and fair elections. The device of having seperate Election Commissioner is intended to 'win' the elections by dictatonal and in a most highhanded manner. The people living in the State want the sureties that the past methods adopted to reject the nominations papers of the opposite candidates and the distribution of the sealed ballot papers to their own people to be cast in favour of their own candidates would not be repeated.

During the past elections the appointment of presiding and poling officers having party affiliations has shaken the confidence of the people in the fairness of the elections and has rather created a belief in them that the elections in the State would be as usual farcical and they would have no end of their miseries in view of these circumstances.

During the last Assembly Elections some seats were reserved for Harijans. The Parishad is not opposed to the reservation of seats for Harijans but it strongly advocates that double member constituency system as prescribed in the Indian constitution should be introduced in the State to safeguard the rights of people other than Harijans living in the State. There is no cogent reason why the elections in the state should be held in different places at different times when elections are to be held within fifteen days simultaneously throughout the country having different climatic and transport conditions in its various parts.

No census has been held in the State fore the last 15 years and therefore Jammu Province has not been given adequate representation in the Assembly according to its population which is in no way less than that of the Kashmir Province and instead of equal representation being alocated to it the ratio of the seats allotted to the two Provinces is alarmingly unproportional.

The ministerial interference in the recent elections was quite evident. Encouraged by their interference the local executive Officers also exceeded their powers and did all that they could do to please their masters - their Ministers-in-charge. It had ~~its~~ prejudiced the elections to a great deal.

The working Committee of the Praja Parishad resolves that

1) The elections to the State Assembly should be held under the direct control and supervision of the Election Commissioner of India simultaneously throughout the State.

2) That there should be double member constituencies in the re erved consituencies and the two provinces be given equal representation.

3) That the two Provinces of Jammu & Kashmir be given equal representation.

4) That the people of the State should have a right to send their representatives to the Lok Sabha on the direct frenchise system rather than the present nomination.

5) That the Ministry should be dissolved at least one month before the elections.

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RESOLUTION NO.

The Panchayat elections so far held in the different parts of our State have been held in most illegal and arbitrary manner. No rules for the conduct of the elections have so far been framed as provided in the act. The applications of the opposite party candidates have been illegally rejected and those belonging to the ruling party have been accepted even in the presence of the great disqualifications that they possess. No dates were announced in the villages before the conducting of the elections. Seats in the Panchayts are also being filled by nominations which are done to accommodate the members of the party in power.

The present Panchayats set up by the Panchayat Department are a slur on the name of democracy.

The working Committee of the Praja Parishad have views these instances with great concern and resolves that the panchayats so far illegally set up should be dissolved and the proper elections be held according to law with a timely information to the people of the villates where elections are to be held.

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JAMMU & KASHMIR
PRAJA PARISHAD
JAMMU

Telegram

Private

| | |
|---|---|
| 1. Rashtrapati Doctor Rajendraparsad, | New Delhi |
| 2. Hon'ble Pandit Jawaharlal Nehru | " |
| 3. Hon'ble Doctor Kailashnath Katju | " |
| 4. Hon'ble Gopalaswami Ayyangar | " |
| 5. Doctor Shyamaparsad Mukerjee | " |
| 6. Shri Acharya Kriplani | " |
| 7. Shri Ashok Mehta | " |
| 8. Doctor NB Khare | " |
| 9. Shri NC Chatterjee | " |
| 10. Milap | " |
| 11. Pratap | " |
| 12. Vir Bharat | " |
| 13. Indiana | " |
| 14. Hindustan Times | " |
| 15. Statesman | " |
| 16. Delhi Express | " |
| 17. Hindhustan Standard | " |

Jammu groaning under Defence Rules 50 barring all processions meetings and peaceful expression of views since five years aaa About 150 retail cloth dealers sale suspended sequal their participation 29th june general strike against Kashmir Consembly ill conceived decisions regarding separate flag etc

Previously 16 numberdars suspended suspecting Parishadites such despotism and negation of ordinary fundamental rights highly resented public enraged aaa Government responsible for grave consequences if any pray intervene

President
City Praja Parishad

---

NTT

President,
City P.P. Jammu.

Dated 2.8.1952.

To ~~all the papers~~ P.P. Sec. J

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Shiekh Abdullah stands for immediate 'Free and Impartial Plebiscite' in Kashmir.

Shiekh Mohamad Abdullah has issued the following Statements:-

In Indian Press there has of late been much ado about nothing after I spoke out at Ranbirsingh Pora and Hazrat Bal what really is only a piece of truth. There is still much more truth that remains to be said. If from 1947 onwards I said India, it was not to win the grace of either the Maharaja who according to himself had acceded to India so that I could be his Prime Minister or of Pandit Nehru for the sake of of pelf and power but because I was told and I believed that India was a secular State and our own ideology of secular demodracy could thrive there as against Pakistan is no more a Muslim State than India is a Hindu State. Religion and culture apart, Kashmir has no geography with India as for full 6 months of winter the Valley remains cut off from Jammu and therefore from the rest of India. The only road that remained open throughout the year and which prior to partition connected Kashmir to India was Jhelum Valley Road which now is in hands of Pakistan. Whether Jammu and Kashmir (as a whole in any case) should accede to India or to Pakistan or remain Independent is a matter which has to be decided by 32 lakhs of people of the State. That is what India, Pakistan and UNO have agreed to, rather committed to. I wish to make it clear that I stand for an immediate free and Impartial Plebiscite under the UNO for the entire State (Possibility of division being ulled out altogether).

.....

JAMMU AND KASHMIR GOVT.

Office of the Private Secretary to Prime Minister.

No. PS/83/IMMEDIATE Dated 28-1-1952.

Copy to the Editor

for favour of immediate publication.

(R.C.Raina)
Private Secretary.

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TELEGRAM

Dr. Rajinderaprasad President India New Delhi

Shree Nehru Premier

Shree Gobindballabh Pant Home-Minister New Delhi

Molana Azad Education Minister "

Shree N.C. Chatterji M.P. "

Shree H.V. Kamath " "

Editor Pratap New-Delhi

" Hindustan standard "

" Times "

" Tej "

" Sansar "

" Indina "

" Stateman "

" Milap "

P.T.I

Premnath Dogra Janasangh

State people anxiouly went Indian constitution its entirety stop Ruling party framing separate ~~xxxxxxxxx~~ constitution which exciudes fundamental rights enjoyed by other Indians stop supreme Court Election Commission Auditor General India Jurisdection being denied stop Provision declaring unlawful organisations opposing State Constitution undemoratic and enslaving people stop Great resentment prevailing against this separtist move stop Pray intervene

GENERAL SECRETARY
PRAJAPARISHAD

---

N.T.T. 23-7-56

( Ram Nath Balgotra)

General Secretary
J&K Praja
Parishad Jammu.

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When the present regime was inaugurated in 1947, the people of the State fondly beleived that the long-expected era of peace, prosperity and freedom for which they had struggled bravely for about two decades, had begun. They patiently waited for new democracy to take shape, knowing that the fruits of the revolution would take some time to appear in the form in which their imagination had pictured them for years past. But year has followed year and things have steadily been going from bad to worse. Economie distress has taken all sections of the population in its dreadful grip, despite the fact that money and material in vast quantities have flowed into the State in an un-broken stream from India and that the presence of the Indian forces in the State has, among other things, provided considerable number of our people with the means of subsistence. Strange as it may seem, even those sections of the population for whom the present regime claims to have done so much - the agricultural population, for example, are not immune from economic prostration. Who ever heard of Kashmiri farmers leaving their homes in summer to save themselves from starvation by toiling in the scorching heat of the plains under the most distressing conditions. And yet this is happening even after the revolution is more than half a decade old .The business and labouring classes fare no better. Indeed discontent and distress are writ large on almost every face that one comes across whether in urban or rural areas.

The land reforms have brought the tillers of the soil little relief while they have been given some more land to cultivate, they have lost all credit facilities and nothing has been done to provide them with the necessary equipment which alone would have enabled them to turn the addition to their landed property to some account. The Co-operative Dept: which should have been a boon to the farmer, is worked in such a manner that there is hardly a village which does not look upon this dept: as a curse and longs to get rid of it. Added to this are the exactions and extortions of official and non-officiai exploiters of all kinds, exactions which have increased to unprecedented proportions under the present regime. The controls of commodities and the so-calied nationalisation of transport have in effect paralysed all business and forced the starving consumer to feed fat a host of parasites and a few monopolists for the way in which things are managed by the present regime has given birth to monopolies which have strangulated the economic life of the country. It is a fact which few will dare to challenge that our present rulers have brought a new sort of capitalism into existence which lies heavy on its victims.

This is the story of the prosperity and equality among men which the revolution was expected to bring with it. The story of the freedom which it promised is not less melancholy. While present regime is claimed to be a peoples affair, it has thought it necessary to increase its police force to supress the people themselves, although with the introduction of a popular Govt: and diminution of our territory, this force should have been considerably reduced. The C.I.D. personnel too has been considerably increased. The defence come in handy to deprive any patriot of his freedom, Any person who feels that things should be set right is dubbed a communalist and put behind the bars. Freedom of association exists on paper, but nobody dares to exercise this right in practice. The Press, too, is passing through difficult times and it is only a bold man prepared to take any risk, who will run a paper with an independent policy not falling in line with that of men in power. This is a brief survey of the intolerable conditions under which we are living at present. No true patriot knowing where these conditions may lead can sit with his hands folded and let things drift to chaos and the ruin of the country. It is to provide a common platform for all patriotic men who feel that things must change for the better that the Kashmir AWAMI CONFERENCE has been established. Our Assembly and our Govt: are a one party concern and totalitarianism and dictatorship are the necessary result of such a state of affairs. The 'Awami Conference' which is but a progressive group of the National Conference is out to end this totalitarianism and stand as constitutional opposition to offer healthy criticism to prevent the Govt: from going astray. It will exert itself to remove the economic ills from which our people are suffering and to secure for them the same fundamental rights as are enjoyed by the people of India. It will work for the integrity of the State and the unity of all sections of its people. It will try to end corruption and nepotism so mnch in evidence on all sides and to import purity into all the branches of administration. It will exert itself to the utmost to establish a truly democratic nationalist, secular state so that feudalism and communalism may not raise their heads again.

We should not be misled by the outward calm which seems to prevail in Kashmir at present. Underneath the calm surface is seething discontent which may explode at any moment and involve the country in untold suffering. To prevent such an un-happy development it is necessary that popular discontent should find expression and be assured of attempts at a remedy and there the Awami Conference is envisaged to fulfil.

S/d Kh. UMAR BHAT

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CONSTITUENCY NO.1 - BA[illegible]-Tehsil Ranbirsingh.

Basohli proper - Ramole - Sundarwan - Qasba Basohli - Sundar Lewang - Bharanvigaon - Bhanikohar - Jothana - Mahanpur-Dogan Pret Bonjal-Bhagur-Sabora-Bani-Mat-Serthal-Bhund-Surjan Chalog - Pati

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CONSTITUTION NO.2. - Bolawar Tehsil Basohli

Bolawar - Malti-Kachhari-Dudofalal-Seri-Kalail-Drong-Salor Bulwal-Banko-Rajvalta-Dagan-Bhadoo Tehsil Basohli-Katli-Banga Ariba-Chilli-Portin-Baglor-Porlin-Tehsil Kathua.

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CONSTITUENCY No. III Kathua- Tehsil Kathua.

Turfbala-Irwan-Mirpuran-Budhi-Matan-Tarkara-Bhalot-Jakhbar-Turf Manjli-Changran-Turf Tajwal-Dilwan-Karera-Tridwan-Sheh-Bharot-Kirian-Logot-Basantpur-Janglot-Kathera-Katli.

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CONSTITUENCY No. 4 - Jasrotgarh- Tehsil Jasrotgarh.

Kaunath-Marwath-Sorera-Kute- Bhia-Salhan-Sinwan-Chanrorian-Gehr-Chorwal-Miranagar-Jandi - Katal brahmanan - Sanwara-Pathian Kuwa-Tulundpur-Hamirpur-Khanpur-Chalgharan-Tarikn-Dibochak-Bhagwanchak-Chak Dalman-Rajpura-Londi-Chilharian-Pansar.

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CONSTITUENCY No. 5 Samba - Tehsil Samba.

Khanpur-Chak Puran-Mange-Kono Kanahanan-Kabtal-Chhanni Katwal-Chak Chhetaka-Sawanlha-Mangarh-Gok Brahmanan-Nari-Gadwal-Hanuman-dir, Dogar-Bajpur-Badehri-Kamnagar-Katli-Bhagandar-Samba-Kanahan-Talor-Soran-Qasba Samba-Bhartgarh.

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CONSTITUENCY No. 6 Paramandal Tehsil Samba

Sarna - Paramandal( Dewan) Aithan-Gurah Salathian-Birpur-Turor Dagla-Tehsil Samba ( ) Chwakadi -Babalana-(Tehsil Jammu) Omaru-Kahil- Chalni Kansar- Tehsil Ramnagar.

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CONSTITUENCY No. 7 Ranbirsinghpura - Tehsil Ranbirsinghpura

Ranbirsinghpura - Pulochak-Kirpind-Badhyal Brahmanan- Parlah-Chak Agra-Kotli Shah Doula-Chakrohi-Dablehr-Chohala-Thor-Kalyana-Kathana-Badhyal Qazian-(Tehsil Ranbirsinghpura - Khanda Sotwari, Tehsil Jammu.

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CONSTITUENCY No. 8 Bishnah Tehsil Reasi/Udhampur.

Chakobture-Khori-Pachhel-Chak Nagal-Alah-Jarwali-Bahadurpur-Arnia-Devli-Rashno-Sayedpur-Rathal-Pohal-Thojipur-Salehr-Chak Turar-Tehsil Reasi/Jammu-Bhuguran (Tehsil Jammu.

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CONSTITUENCY No 9 Jammu City( North)

Ward No1- Ward No.2-Ward No. III- Ward No. 4- Ward No. 5 Lower, Only Mohalla Bhaki Sarajan-Mohalla Acharjian-Chhati gali-Gali Chatharan-Kucha Devi Dewara-Gali Dharam Sal Deba-Gali Hanuman-Kucha Karan Shah and connected Mahallas of Purani Mandi and Lalchatta.

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CONSTITUENCY No. 10 JANNU CITY ( SOUTH )

Ward No. 5 (Upper) Only Mahallas connected Purani Mandi and Lalchatta and whole Mohalla Malhotrian-Gandertandi-Mohalla Gujran-Mohalla Paharia-Hospital Road-City Chowk-Rameshwar Mandir Parade.- Ward No. 6-Ward No 7-Patwar Halqa Bahu- Patwar Halqa Jammu Khas only villages Rajpura-Gurah Chhabilian and Nawabad Tehsil Jammu - Satwari Chawni.

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CONSTITUENCY No.11 Kalmo Chak Tehsil Jammu.

Chak Sharan-Panjar-Chak Kalmo-Mandal-Sun sohanjno-Kanwal-Prahlad ur-Kash-Tatoryal-Thub-Akalpur-Phalor-Nagbun-Khadror-Rathon- Suthi-Saharan-Ghaursahasan-Gol - Gajansu-Gangochak Patwar Halqajat and villages- Palaura-Top Sarthania-Patohli Nagotrian Patwar Jammu Khas.

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CONSTITUENCY No. 12

Jandrah Tehsil Jammu. Ranjan-Nagrota-Kanhala-Suruin Sar-Dharta Jhajjar Kotli-Shahbaziyal-Jandrah-Panjgarain-Karan-Gharota-Ambe-Kot-Thalwal-Kaipur dommu-Nagon.

---

CONSTITUENCY No. 13(Thirteen) Akhnoor-Tehsil Akhnoor-

Akhnoor Khas-Nandu-Sungal-Gandarwan-Arbaran-Parri-Kathar-Chauki-Chohra-Panjgarain-Kaink Jagir-Chak Kirpalpur-Nero-Dhok Khalsa-Chalmchak-Jad-Bakor-Sadharwan-Nawa Brahmanan-Kah Siloot.

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CONSTITUENCY No. 14 Chhamb Tehsil Akhnoor.

Dewa-Chak Pandit-Baniyan-Chakla-Darkwala-Chhamb-Gigaryal-Gurah Nanhasan- Kot Nera-Katu-Sadinth-Chhani Diwancon-Sahrwan-Dori-Nathal-Hamirpur Nawan-Palanwala-Khor-Pargwal.

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CONSTITUENCY No. 15 Poonhere - Tehsil Poonhere.

Manjwal-Nangri-Dab-Thandapani-Dewal-K thal-Mirmala-Garan-Chhang-Hari Chamba-Trimu-Jongarial-Wali-Khiora-Ding Nangyot-Nangal devi-Lamberi-Gugrot-Poonhere-Q ude Poonhere-Lam-Chawdi Linden-Koniel-Bohani-Jhungar-Military Naka Tehsil Poonhere Harian-Chingas-Dumandal-Dilhori-Argi-Potha-Dialsoi-Dgle-Kanthwal-Khas-Gundah-Tehsil Rajouri.

CONSTITUENCY No.16 Rajouri-Tehsil Rajouri.

Thanna-Galehti-Dehri Laliot-Dharot-Nanglot-Nowpur-Sehrna-Dongi-Fatehpur-Panjgarain Tehsil Rajouri, Gore Lai- Dhar Galiot-Tehsil Nindhar.

CONSTITUENCY No. 17 Darhal Tehsil Rajouri.

Ojhan-Darhal-Tarkai-Nagrota-K ndi-Kahra-Kewal-Dudhal-Danichar-Ladot.

CONSTITUENCY No. 18 Nendhar Tehsil Nendhar.

Banala-Chhanjla-Nankot- Narhot- Dehran Gala- Kotha- Gundi Tehsil Nendhar- Patwar Halqa Khanetar, Jalas, Village Kalai Patwar Ughli and villages Khondra-Koli n-Bachiyanwali-Kaid n- Lambun-Seri Ghohan Patwar-Seri Khawja Tehsil Kewali.

CONSTITUENCY No. 19 Poonchh Tehsil Kewali.

Digowala-Arai-Loran-Sawjian-Saillu-Nigali Patwar without village Kalai-Patwar Qasba - Poonch-Poonch city and villages Seri Khawja-Nerian-Hari Dudhu-Dan Dhakran- Kalani-Kanon-Fatehpur-Dhara Patwar Seri Khawja.

CONSTITUENCY No. 20

Poonch for refugees only.

Ramnagar.
CONSTITUENCY No. 21 Tehsil Ramnagar

Basantgarh-Nang-Kanagar-Kasili Gadoran-Satyan-Jandror-Kirmun-Dhanwalta-Garh Sarna Banj-Umrudah-Dudu-Panhsund-Dhara-Kajalta-Khul Thalora-Thial-Doot-Ghagot-Ghogarmarh- Tehsil Ramnagar - Barta Tehsil Udhampur.

CONSTITUENCY No. 22 Udhampur, Tehsil Udhampur.
Tehsil Ramnagar
Lati-Ghanunta-Bunnin-Patangarh-Dandyal-Korri Bap- Kanlah-Nogalta-Pilhlai-Tewe-Kud-Kewa-Jagnoon-Udhampur Nathian( Tehsil Udhampur.

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CONSTITUENCY No. XXXII Kandar-Tehsil Udhampur.

Ranga-Jib-Chak Rahmalan-Chhakar-Bhandal-Kanah-Kapte-Chalan-Bali- Ladh-Kati-Kirmchi-Kandar Tehsil Udhampur. Sari -Barola-Dhanon-Tikri- Rannot-Kudh-Sohal.( Tehsil Reasi).

CONSTITUENCY No. 24 Reasi Tehsil Reasi.

Reasi-Dabar Dadhana-Salal-Kotli Nanotrian-Narot Kot-Katra-Jhandoh-Kanjli-Ghar Jito-Pauni- Serot-Kanthi-Talwara-Chinkah-Jij-Dharolh-Puru Kotli-Thakra Kot-Letar-Tuli.

CONSTITUENCY No. 25 Arnas Tehsil Reasi.

Judah-Sarh-Chanot-Dowal-Thuru-Gul-Nala Sherguthi-Budhan-( Tehsil Arnas) Dhalwarkar Tehsil Arnas. Khari-Sangaldan( Tehsil Ramban).

CONSTITUENCY No. 26 Ramban-Tehsil Ramban.

Patwar Ramban-Qasba Ramban-Mahorangat-Qasba Banhal-Dowgool-Thithar-Pogal-Chanalwas-Paristan-Deligam-Dhanrat-Rajgarh-Do s-Kaitru-Kaitru.

CONSTITUENCY No. 27 Doda Tehsil Ramnagar.

Jathili-Bhagwa-Thar-Jodhpur-Chakla-Kasti Garh-Kahale-Thara-t Dhandal-Dhara-Doda Qasba-Garkutia-Doda( Tehsil Ramban-Durbail-Chhatru-Pilar; Tehsil Kishtwar.

CONSTITUENCY No. 28 Kishtwar Tehsil Kishtwar.

Kishtwar-Pochhal-Sagdi-Andarwal-Kandar-Dool-Gulharbhata-Kasu-sohal-Palwar-Sondi-Kopara-Kopuchi-Irdoo-Qadarna-Waron-Athali.

CONSTITUENCY No. 29 Bhaderwah Tehsil Bhaderwah.

Qasba Bhaderwah-Chaka-Soongli-Botle-Wanthal-Udarna-Chinta-Kur sari-Chhatar-Khalaini-Gagoth-Tarnun-Birru-Khalani Khashal-Kalhori-Kuthi-Rot-Shoh-Bhola-Thakra-Mangot-Inara ( Tehsil Bhaderwah) Asar-Chanota-Khopal-Qasba Batote-Patwar Batote-Sewi. ( Tehsil Ramban.

CONSTITUENCY No. XXX Bhalas Banjwah, Tehsil Bhaderwah.

Kalotran-Darori-Chili-Jotah-Kahal Jagasar-Jalyas-Jatota-Jangalwar-Charayala Bhalarah( Tehsil Bhaderwah. ) Jawalapur Badat-Karol-Chandri( Tehsil Ramban).

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Phone

BHARATIYA JANA SANGH CENTRAL OFFICE

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Ajmeri Gate,
Delhi 25.7.56

Press release.

Statement issued by Pt. Prem Nath Dogra, President, Jammu and Kashmir Praja Parishad.

.....

Bakshi Ghulam Mohammad, Chief Minister of J & K State has been in the capital, discussing the draft constitution reported to have been finalized by the Drafting Sub-committee of the Constituent Assembly of the State. We have long been demanding such a step as governance of the state in accordance with the provisions of a constitution would resotre normalcy and end all uncertainty about the future of the state. Praja Parishad however is of the opinion that Jammu and Kashmir State being an integral part of Bharat, the purpose would have been better served by extending all the provisions of the constitution of Bharat without any exceptions and modifications to that state. For reasons best known to them the state government do not seem to be prepared to follow this simpler course. We do not know the exact nature of the draft constitution, but it is learnt that there are provisions in the constitution which are likely to foster separatism [illegible] the civil liberties of the people [illegible] the present rulers to perpetuate their hegemony. We view these trends with great concern. Praja Parishad urges that the constitution should not in fundamentals differ from or violate the provisions of the Constitution of Bharat. It is therefore, imperative that in matters of fundamental rights, complete juriddiction of Supreme Court, Control of and supervision by the Auditor General and the Election Commission the state constitution should not have dissimilar provisions. The members to the Lok Sabha should also be elected directly by the people and not nominated as at present by the President on the recommendations of the state assembly. This procedure deprives the electorate to give their verdict on all India matters and makes no distinction between the election procedure

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A.

The Working Committee of All Jammu and Kashmir Praja Parishad view with grave concern the recent ill conceived decisions taken by Kashmir Constituent Assembly and the attendant provocative speeches regarding the replacement of the State Flag and the termination of the Ruling Dynasty. The adoption of a separate Red Flag indicates separation of the State from the Indian Union to which it has legally and constitutionally acceded [illegible] to the Indian constitution in [illegible] State can set up a separate Flag of it symbolising [illegible] sovereignity under the said constitution. The termination of the ruling dynasty which is the only symbol of unity of different political, geographical and cultural units of the State, particularly at a time when the fate of the State hangs in the balance, envisages the disintegration of the State and involves serious constitutional implications for the State as well as the Government of India, in face of articles 3 C and 370 of the Indian Constitution. The creation of an elective Head is a deliberate defiance of the Indian constitution making thereby the State a Republic within the Indian Republic to which the people of the State are deadly opposed.

B. It is, therefore, hereby resolved that the President of the Indian Union be approached and requested to withhold assent to both the resolutions adopted by the Kashmir Constituent Assembly to avert serious consequences.

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# THE INTEGRATIONIST MOVEMENT IN J & K

By: Dr. Vidya Bhushan

The concept of 'Movement' within a political and social context is said to have been emerged from the experience of the French Revolution of 1789 and from the continuing struggle against the established authority in different countries in Europe.[1] It is an organised attempt on the part of a section to bring about partial or total change in it through collective mobilization based on ideology. Whenever a movement develops a high degree of formal organisation, it ceases to be a movement and becomes a part of the Internationalised system losing its innovative features.

However, for over the last several centuries, the organization and conduct of political movements have been complicated by the development of political parties and specific institutions for legislation, administration and adjudication. As a result the opportunities for political conflict have increased alongwith the economic development and created new values, attitudes, interests and the proliferation of ideologies reflects these fundamental changes in our way of life and in the organisation of our society and Government.[2]

However, most of the modern political parties have a movement dimension. Some of the political parties contain more than one movement such as U.S. Democratic party. Some movements used political parties not only as an instrument to spearhead their action, in seeking political powers but also to engage in action at pressure group, educational or cultural levels such as Communist Movements in most of western European countries. For some movements party activity is considered either irrelevant to their purpose or entirely profitless such as millenarian movements or anarchist movements. But many protest and religious

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movements; moral crusaders and intellectual and cultural movements are sui-generis.[3]

The Integrationist Movement in J & K State has, however, been spearhead by the All Jammu & Kashmir National in Kashmir region; The All Jammu & Kashmir Praja Parishad/Jana Sangh/Bhartiya Janta Party in Jammu region and Ladakh Buddhist Association in Ladakh region at different point of times.

The Integrationist Movement in the State of Jammu & Kashmir was first started by the All Jammu & Kashmir National Conference right from the dawn of democracy in Indian sub-continent and culminated in the accession of the State with Indian Dommion a way back on October 27, 1947. The seeds for this had, however, been sowed in the State with the changing of political pattern in British India a few years before the commencement of World War Second.

Sheikh Mohammad Abdullah left Srinagar for India to renew his contacts with Indian leaders just after the Third Annual Session of the All Jammu & Kashmir Muslim Conference at Sopore from November 11 to November 13, 1934.[4] He met Pt. Jawahar Lal Nehru and was much impressed by his political ideals and aims. By and by he developed personal and ideological links with him.[5] Sheikh Mohammad Abdullah met Pt. Nehru at Lahore railway station when the letter was on his way to the North-West Frontier province in 1937. They talked for a few minutes, but not satisfied. He then accompanied Nehru during his tour and discussed the possibilities of giving a secular character to Kashmir politics.[6] Sheikh Mohd. Abdullah then frequently went to India and met leaders like Gandhi Ji and Pt. Nehru. He was deeply

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impressed by their sense of dedication and sacrifice, and discovered complete identity of views between theirs and own. His intellectual horizon extended beyond the narrow communal confines of the valley and the political dimensions of his philosophy assumed a national perspective.[7]

Moreover the experience of the six years following the inception of Muslim Conference in 1932 had more adequately revealed to Sheikh Abdullah and a few other leaders of Muslim Conference that narrow communal politics would certainly be no remedy for the ills of large scale poverty, economic hardship and exploitation faced by the people in J & K irrespective of their religions. Sheikh Abdullah and his colleagues realised that an agitation against the princely rule could not succeed without the support of all the communities, because not only Muslims but all the poor and low in all parts of the State were the subject of feudal oppression and tyranny. Being a shrewd statesman, Pt. Nehru too possessed a precocious understanding about the future course of events in the sub-continent and had probably felt the pulse of the Kashmiri Muslims.[8] He realised the importance of Sheikh Mohammad Abdullah as a popular leader in a geographically vital Muslim majority area and was wise enough to realise that it was in the interest of congress that he should be on its side. It was said to be this reason that Pt. Nehru cast himself in the role of a friend and supporter of Sheikh Mohammad Abdullah. When Pt. Nehru decided to visit Kashmir in May 1940, Sheikh Mohammad Abdullah at once extended invitation to him to be a guest of the National Conference Pt. Nehru however visited Kashmir on May 30, 1940 alongwith Khan Abdul Ghaffar Khan. He toured the valley for ten days and advised Hindus to join the National Conference and strengthen the hands of the Sheikh Mohammad Abdullah.[9] Some of the Congress leaders,

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who visited Srinagar in the summer of 1944 and 1945 were too hosted by Sheikh Abdullah. They also tried to cement their personal and political bonds with him.[10]

The National Conference leaders, on the other hand, closely watched political wind in the country particularly from 1934 to 1945 i.e. during the World War second and correspondingly evolved their future strategy and plan of action. Though things were still in a flux, they were clear in their goals, achievement of a socialistic pattern of society through democratic processes and strengthening of forces of secularism.[11] In fact, the Economic Wing of the organisation prepared a tangible reliazable programme called the "Naya Kashmir."[12]

Just after release from Ahmednagar fort in July 1945 Pt. Nehru and a few other top congress leaders like Maulana Abdul Kalam Azad, Khan Abdul Ghaffar, Mr. Asaf Ali, Mian Iftikhar-Ud-Din went to Kashmir for health reasons. The National Conference arranged a river procession in Srinagar in their honour. Pt. Nehru and other Congress leaders were then formally invited to attend the fourth coming annual session of the National Conference to be held at Sopore. Most of them including Pt. Nehru attended the session. In their speeches Pt. Nehru and Khan Abdul Ghaffar Khan paid generous tribute to Sheikh Abdullah's qualities of leadership. They also supported the demand of self-rule made by the National Conference.[13]

Although Sheikh Mohammad Abdullah was never trusted by the more conservative Congress leaders like Sardar Patel, yet he succeeded in gaining the confidence of Pt. Nehru who, perhaps because of his Kashmiri origin, looked upon Kashmir as his special sphere of interest.[14]

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A meeting of the All India States people Conference was, therefore, held at Sopore-fifty kms. north of Srinagar - in October 1945. Whereas Pt. Nehru presided over the conference and other eminent political personalities like Khan Abdul Ghaffar Khan and Maulana Abul Kalam Azad participated in the deliberations. There was complete identity of views between the Indian National Congress and the All J & K National Conference. The majority of the National Conference members were drawn to the secular, democratic and socialistic ideals of the national mainstream symbolized by the Indian National Congress. They rejected the two-nation theory of The All India Muslim League. The Congress leaders told the people that the National Conference was the sole representative body of the masses of the State.[15] The National Conference leaders were then admitted in the All Indian State People's Conference which Congress had set in various States as a common platform for continuing the political movement against princely order and which was a sort of counterppart in the Indian States of the wider anti-British movement of the Congress.[16]

During World War second, however, the Indian Muslim League and Indian National Congress vigrously started spreading their net in Kashmir because of the then changing of political pattern in British India.

Khan Abdul Ghaffar Khan and Mr. Asaf Ali visited Srinagar even during Quit Kashmir Movement of May 1946 when Sheikh Mohammad Abdullah and many of his followers were arrested on the charges ~~of~~ under Section 124 (A). Pt. Nehru vehemently condemned the policy of oppression resorted by the State Govt. Some correspondence and telegramas were exchanged between the Mahaŷaja of J & K and Pt. Nehru in which Pt. Nehru expressed the

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absolute necessity of releasing of Sheikh Abdullah forthwith and withdrawal of prosecution against him.[17] When Maharaja did not agree Pt. Ji informed him through a telegrame on June 19, 1946 that he was reaching Srinagar on June 19, 1946 alongwith a number of lawyers to defend Sheikh Abdullah. He had taken this decision individually as President of the All India States People's Conference on his own responsibility. He did not even consult the Congress Working Committee. The State Government banned his entry in the State. Characteristically, Pt. Nehru decided to defy the ban and to enter Kashmir from Punjab via the Kohala bridge. Those were the days where the British Statesmen were holding negotiations with the Indian Leaders to find the modus operandi for transferring power to Indians. Inspite of the hactic political activities.

Pt. Nehru left Delhi for Srinagar on June 16, 1946 alongwith three eminent lawyers - Dewan Chaman Lal, Mr. Asaf Ali and Mr. Baldev Sahal. At Rawalpindi on June 20, 1946 about three hundred congress workers joined them.[18] He was stopped in the midest of the Kohala bridge by Dogra troops with fixed baynets, when he refused to be cowed down and fearlessly walked across and pushed the baynets aside, Major Bhagwan Singh, being a tactful and intelligent man, ordered his troops aside and he was permitted to make forced entry in the State territory.[19] He walked for a short distance before boarding a car which speeded towards Srinagar. He was stopped at the Domel custom post - twenty two miles away and served upon a warrant of arrest. He was then taken to a Rest House at Uri where he spent two nights. A State car was placed at his disposal. He was told that he was free to return to British India at any time at his will but he insisted upon visiting Srinagar. Even the telephone facilities

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were made available to him. He talked to Maulana Abul Kalam Azad who advised him to return to Delhi as the Congress Working Committee had taken the matter into its hands. He was also informed that his absence was hampering negotiations for the transfer of powers. At the request of Maulana Azad, Lord Wavell sent a plane to Srinagar which brought Pt. Nehru and Asaf Ali to Delhi on 22nd June 1946. The Congress Working Committee then prevailed upon the State Government to lift the ban and allow Pt. Nehru to visit Srinagar. This was done and Pt. Nehru reached Srinagar on July 24, 1946 and had a long meeting with Sheikh Mohammad Abdullah in Badami Bag Cantonment. He returned to Delhi within a few days. He then sent Mr. Asaf Ali, a brilliant barrister a member of Congress Working Committee to defend Sheikh Mohammad Abdullah who was being tried under Section 124 (A) (Treason) Ranbir Penal Code. Pt. Jia Lal Killam assisted the defence.[20]

Inspite of the fact that Mr. Asaf Ali made a spirited defence, yet Sheikh Abdullah was sentenced to nine years simple imprisonment and a fine of rupees five hundred. The Congress Working Committee's Resolution on Kashmir dated September 25, 1946 deeply regreted the sentence passed on Sheikh Abdullah and also expressed their sympathy for all those who had suffered or were suffering for the cause of freedom in Kashmir.

It may not be out of place to mention that Mr. Ram Chandra Kak - the then Prime Minister of the State-in his letter to Sardar Patel of September 12, 1946 mentioned that total number of persons arrested in this movement was 924. There were 106 persons then under detention. Out of which 55 were undergoing imprisonment for various offences, 47 were under trial and only

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in six cases the sentence exceeded six months. The rest had been released.

On the other hand, Mr. Mohammad Ali Jinnah, the President of the All India Muslim League too visited Kashmir in May, 1944 and stay there upto 25 July, 1944,[21] With the purpose of rest and recreation. But according to Mohammad Yusuf Saraf Sheikh Mohammad Abdullah, after consultations with his colleagues such as Mirza Mohammad Afzal Beg, Maulana Mohammad Saeed Masudi, Khawaja Ghulam Mohammad Sadiq and Bakashi Ghulam Mohammad decided to invite Mr. Jinnah to Srinagar in early 1944 to bring about a compromise between the All J & K National Conference and the All J & K Muslim Conference. Khawaja G.M. Sadiq and Maulana Saeed, thereupon met him at Delhi. This was followed by a long meeting between him and Sheikh Mohammad Abdullah. The Sheikh's representative met him again at Lahore. Sheikh Mohammad Abdullah, said to have invited Mr. Jinnah to Srinagar. It was also said that he had a standing invitation from the Muslim Conference also to visit Srinagar.[22] This was the time when the All J & K Muslim Conference had lost its nerve and it was left only in name in the valley, but a political force in Jammu Division. He was given a warm reception on behalf of the National Conference and its leaders. Sheikh Mohammad Abdullah, G.M. Sadiq and Maulana Saeed Masudi welcomed him on the outskirts of the Srinagar city.[23] The president of the National Conference Sheikh Mohammad Abdullah, himself prevented an address of welcome to him in Partap Park, Srinagar. He had several meetings with leaders of the National Conference and the Muslim Conference.[24] He had also a long meetings with Mr. Jinnah. During this long meeting Mr. Jinnah all along persuaded Sheikh Mohammad Abdullah to

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take up the leadership of the Muslim Conference instead of the National Conference. But Sheikh Abdullah strongly believed that since struggle against the Maharaja in the name of Muslim Conference was being construed as a sort of communal movement, it was in the interest of the Kashmiri Muslims that they should carry their movement in the name of the National Conference.[25] Sheikh Abdullah told Choudhari Ghulam Khan that there was no chance of any change in their political convection.[26]

Being a shrewd politician he was quick to perceive that the political wind in the valley was blowing toward secularism. He declared that the "Muslims have one platform, one Kalama and one God." I would request all Muslims to come under the banner of the Muslim Conference and for their rights." This provoked a sharp reaction from Sheikh Abdullah. He told his people, "The ills of the land can only be remedied by carrying Hindus, Muslims and Sikhs together."[27] [illegible] co-works a band of gangsters."[28]

The local leaders of the Muslim Conference tried to convince Mr. Jinnah that Sheikh Mohammad Abdullah was, in reality, with the Congress and the All J & K National Conference was a branch of The Indian National Congress. Mr. Jinnah, therefore, passed bitter remarks against the Sheikh Abdullah and called him and his co-works "a band of gangsters.".[28] All this led to the creation of strong differences between them. The National Conference leaders, therefore, requested Maharaja to ask Mr. Jinnah to leave Kashmir immediately. The political clash between the National Conference leaders and the President of the All India Muslim League turned into prolonged ammosity between them and the Congress party said to have derived much gain out of it.[29] The people of Kashmir, thus, openly rejected Mr. Jinnah's two-nation

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ideology and theocratic basis of a State.[30]

Sardar Vallabhbhai Patel in his letter to Mr. R.C. Kak - the then Prime Minister of the J & K State-dated April 11, 1947, however, written him that the time was then ripe to reconsider the attitude towards Sheikh Mohammad Abdullah and his colleagues who were in Kashmir Jails.[31] In his another letter to him dated July 3, 1947 Patel once again advised him to reconsider whether Sheikh Abdullah should continue to remain in Jail or released without any delay.[32] In a letter to Sardar Patel Mr. Ramodhar - Secretary, All India Spinners Association - dated July 14, 1947, who was at Srinagar, informed him that Maharaja of Kashmir had given him words that general amnesty to be proclaimed within a week or ten days time.[33] Sardar Patel in his letter to Pt. Nehru dated July 18, 1947 informed him that he had written a letter to Mr. R.C. Kak about the release of Sheikh Abdullah and other workers of the National Conference and enclosed a copy of reply which he had received.[34] Pt. Nehru in his letter to Sardar Patel dated September 27, 1947 stressed the urgency in the then existing alarming situation in the J & K State to release Sheikh Abdullah and the others National Conference leaders without delay, to make a friendly approach to them, seek their cooperation and make them feel that was really meant, and then to declare adherion to the Indian Union.[35] Maharaja had then proclaimed general amnesty and Sheikh Abdullah and his other colleagues were released on September 29, 1947.[36] Sardar Patel in his letter to Maharaja dated October 2, 1947 expressed his pleasure on the released of. Sheikh Abdullah and other works of the National Conference.[37]

There, then, followed a rapid changes in the history and politics of sub-continent. British India was partitioned and two

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new Dominenoys - Pakistan and India - came into being on August 14 and August 15, 1947 respectively. The partition was followed by a large scale communal massacres, Maharaja signing State still Agreement with Pakistan, Pakistan not only putting undue stress on Maharaja to acceed Kashmir to her but creating the tension in the regions sealing two main routes leading to Kashmir and stoping the supply of essential commodities.[38] Some boarders areas of the State had also witnessed skirmishes between the Dogra Army and the Muslims. The Kashmir Valley, under the dynamic and inspiring leadership of Sheikh Mohammad Abdullah, who had very powerful grip over the people, maintained communal harmony and order.[39]

Soon after his release the issue of Kashmir accession to India or Pakistan assumed serious dimensions. As said earlier that some Pakistani leaders came to Srinagar to talk with Sheikh Abdullah during this period and felt much disappointed after having met him.[40] As a follow up, a National Conference delegation led by Mr. G.M. Sadiq also went to Lahore to hold talks with leaders of the Muslim League.[41] On one hand the delegation members were busy in meeting the League leaders, on the other Khawaja Ghulam Nabi Gilkar announced the formation of a rebell Government for Jammu and Kashmir on October 4, 1947. He then went to Srinagar. Even before his announcement Pakistan Radio started broadcasting mischievous and false propaganda.[43] The law and order situation in the valley was dangerous and deteriorating. The Muslim League in the Punjab and the N.W.F.P. were making preparations to enter Kashmir in considerable numbers because the then approaching winter would cut off valley from the rest of India.[44] Sheikh Mohammad Abdullah was very anxious to keep out of Pakistan.[45] He and his close associates had then decided for Indian Union. He was delivering speeches to educate

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public opinion and to prepare people for what seemed to be inevitable decision of the National Conference. He stressed that killings of Hindus and Muslims were un-Hindu and un-Islamic, that the issue of State accession could not be decided by a religious sentiment and the friends and sympathisers of Kashmiris during those years of struggle or sufferings had been Gandhiji, Pt. Nehru and the Congress and not the Muslims or the League or Mr. Jinnah. The attempts were thus, made to show that Jinnah and the League had done great harm to the popular movement in Kashmir and that the objective of the League and Mr. Jinnah was the preservation of the princely order and feudal oppression. Sheikh Mohammad Abdullah and his associates emphasised that the objective of the Kashmir National Conference was the attainment of people's sovereignty with the Maharaja enjoying a constitutional position and that would be the main factor determining the decision of the Conference in the matter of accession. In other words, they would join the Dominion which would enable them to achieve these objectives or help them in the achievement of their objectives.[47]

A day after the appointment of Mr. Mehr Chand Mahajan a new Prime Minister of the State on October 15, 1947, Sheikh Mohammad Abdullah suddenly left for New Delhi. During his one week stay there he met Gandhiji, Pt. Nehru, Maulana Abdul Kalam Azad, Mr. Rafi Ahmed Kidwi, Mr. Asaf Ali and Sardar Patel. The accession document covering subjects relating defence, communications and Foreign Affairs, sent by Maharaja to the Government of India also came under discussion while the talks between Sheikh Mohammad Abdullah and Indian leader on the future of Kashmir State were in progress when General Auckinleke - the Supreme Commander of Indo-Pakistan joint army informed the Government of India - that 5,000 tribesmen had launched an attack on J & K State, Pt. Nehru

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informed Sheikh Abdullah accordingly. This followed by a meeting in which Lord Mountbatten, Pt. Nehru and Sheikh Abdullah participated. It was then agreed that the instrument of accession of the State with the Union of India was acceptable to the Government of India as temporary and provisional which at the appropriate time be referred to the people of the State for ratification.[48]

Just after the accession of the State with Indian Dominion on October, 27, 1947, which Pak Government characterized as based on fraud,[49] and violence as such could not be recognised, Sheikh Mohammad was appointed as the Head of Emergency Administration the very next day.[50] Moreover, at a very rarly stage of the tribal invassion Radio Pakistan announced the formation of provisional Government of Kashmir as "Azad Kashmir Government" somewhere in poonch under Mohammad Ibrahim.[51] When Lord Mount batteu on November 1, 1947 suggested that a plebiscite would be held in the State, Mr. Jinnah objected and said that with the presence of Indian troops and with Sheikh Abdullah in power, the people of the State would be far too frightened to vote for Pakistan.[52].

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# SOCIO-POLITICO-ECONOMIC DEVELOPMENT OF LADAKH REGION IN ~~HISTORO-PECTIVE~~ HISTORIC PERSPECTIVE

By: Dr. Vidya Bhushan

On the east-west boundry of the two regions of the State - Jammu and Kashmir — is the third physical unit[1] called 'the magic land of Ladakh' or 'Little Tibet'[2] — the home of the ancient Bhauthas.[3] While embracing an area of 97,000 sq. Km. and comprising ~~x~~ district of Leh, Kargil and Skardu (Now in occupied Kashmir) it forms the central portion of the Valley of great Indus river which takes its source at Mansarowar Lake in Tibet and traverses the whole frontier province of the State.[4] Though it is one of the largest districts not only in the State of Jammu and Kashmir but also in whole of the Indian sub-continent[5] yet because of its high allitude and highly mountainous and barren character it is sparsely populated.[6] Its people, being a mixture of Mangolian and Aryan races, are cheerful, wilful, frank, honest in dealing[7] and not quarrelsome unless under narcotic like 'chang'.[8] Being majority of them having Buddhist faith and the followers of the Dalai Lama of Tibet the simplicity and clumsiness are in a measure their chief characteristics.[9]

However, little attention has been paid to the Socio-Politico-Economic development of this region by the successive regimes of the state since the dawn of indep dence. The Ladakhis, therefore, have a deppseated discontentment, a sense of deprivation, simmering of unrest and nursing a feeling of receiving a step motherly treatment at the hands of state authorities.[10]

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In a memorandum submitted to the State Prime Minister, Sheikh Mohammad Abdullah, Kushak Bakula, Head Lama of Ladakh and the member of the Consem ly of Kashmir, demanded for a statutory provision in the future Constitution of Jammu and Kashmir under which State's North-Eastern Frontier Province of Ladakh covering Sinkiang and Western Tibet, would become a federating unit of Kashmir as long as the accession of the State to India endures. He urged that a separate Legislative Assembly of 15 members, with an Executive Council responsible to it, should be set up for Ladakh to run the internal administration of the era. He pointed out that under the proposed Ladakh would largely bear the same relation to the J&K State as the latter did to India.[11]

He also met Pt. Nehru, the Ist Prime Minister of India and apprised him ~~about~~ of the deteriorated economic conditions of Ladakh as back as in 1952.[12] He also met G.M. Bakhshi the successor of Sheikh Mohammad Abdullah as Prime Minister of the State in 1953 and submitted to him a memorandum containing concrete suggestions for improvement of educational, economic and social conditions of the region.[13] Inspite of the fact that G.M. Bakhshi did introduced a number of measures for the economic development of the region but these could not satisfy the urges of the people. Kushak Bakula then charged G.M. Bakhshi and his party to be more prone towards the Muslim population than towards the Buddhists.[14]

While speaking in State Legislative Assembly on Oct. 5, 1953, G.M. Bakhshi endorsed the views of Kushak Bakula that Ladakh

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was a backward area, he agreed that all the demands voiced on behalf of the people of that area were not heeded by the previous government and assured that the people of Ladakh of a fair deal in the then new set-up which would help to ease tension in the sensitive and neglectdd region of the State."[15] In Novem er, 1953 Kushok Bakula was inducted into State Council of Ministers as a Deputy Minister in charge of Ladakh Affairs.[16] An expenditure of Rs.86.65 Lakhs was ~~increased~~ spent on development of backward areas during second plan period, (1956-61). During the Third Plan period (1961-66) a part of which covered the G.M. Bakhashi period Rs. 147.36 lakhs were spend on its development. Under Non-Plan Rs.934,44 lakhs were spent on transport and communication and Rs.14 2 lakhs on Ladakh development.[17] During later period G.M. Bakhashi's prime ministership, the Muslims of the region supported him whereas Buddhists desired a change of government. The congenial atmosphere of the region, therefofe, got vitiated with communal overtones. Even Kaushak Bakula was seriously thinking to resign from the Council of Ministers.[18]

Kaushak Bakula in his letter to Pt. Nehru dated 15th September, 1962 ~~levelled~~ mentioned the following grievances against the then state government:-

(a) the State government did not appear sympathetic to Buddhist population and appreciated their genuine difficultires;

(b) there was no planned economic programme for Ladakh;

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(c) the Ladakhis' demand for greater economic aid was being ignored;

(d) his advise for soluti n of the reasonable demands of the Ladakh ~~could not~~ were not; ~~and~~ honoured.

(e) the State Government had politicised the atmosphere in the region by drawing a line between Buddhists and non-Buddhists.[18]

The relation between Kaushak Bakula and G.M. Bakashi got further ( ) strained during Chinese aggression in 1962. In his letter to Pt. Nehru dated Fegruary 10, 1963 he pointed out that the State authorities continued to adopt an apathetic posture towards legitimate demands of people of the region. He also met Shri Lal Bahadur Shastri, the new Prime Minister of India and succewsor of Pt. Nehru, and apprised him of the problems confronted by the Ladakhis. As the result of these meetings he was once again inducted in Mr. G.M. Sadiq's Council of Ministers as a Minister of State for Ladakh Affairs, Health and Local Self Government on July 26, 1964.[19]

Meanwhile the Sadiq Government appointed a ten-member high power Ladakh Development Committee to advise the govt., in regard to the policies and issues affecting good governance and speedly development of Ladakh. G.M. Sadiq said that development of Ladakh had been upper most in his mind and assured the people that government would do everything for their advancement.[20] Kushak Bakula and Agha Ibrahim Shah siting MLC were its Chairman and Vice Chairman respectively and all other ~~its~~ members were Ladakhis

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This Committee in its first meeting at Jammu on March 7, 1965 recommended that priority should be accorded to the schemes pertaining to generation of electric power, development of irrigation and expansion of education in Ladakh. Though steps were taken for electrification of some parts of the region by installing two more generations sets at Nyoma - the headquarters of Chunathang sub-division and certain other steps for the development of the people of the area were still satisifed. Even the Ladakh Developmnnt Committee had proved least effective in its actual functioning because of limitations imposed on it.[21] The people of the region complained that the tempo of these few and small development projects was sluggish and not commensurate with the enormous needs of the region.[22] Because of subsequent difference with the then Chief Minister, he resigned from the ministership in October 1964 and alleged that no action had been taken on the important matters about Ladakh referred by him to the Chief Minister.[23] In other words Ladakh problems were not taken note of. He even wrote to the then Prime Minister of India that the law and order and economic conditions in Ladakh were deteriorating because of the posting of unsympathetic officials from the Valley.[24] He then began to advocate not only for the protection of separate identity of Ladakh, its political status but it should be brought under the direct control of Centre.[25] His contention for Ladakh's separate identity was based on:-

"(a) that the local Government in that region mostly manned by Muslims was biased towards the non-Muslims;

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(b) that the State Government always remained indifferent to Ladakh and its problems;

(c) that there was no rule of law ~~governing~~ in Ladakh;

(d) that Ladakhi's redress lay with the Government of India, not with the State Government;

(e) that both the governments headed by Bakshi Ghulam Mohammad and G.M. Sadiq failed in their attempt to meet ~~their~~ the representatives of the people of Ladakh;

(f) that Ladakh's borders needed greater attention; and

(g) that for the Government of India to acquire a firm foothold in Ladakh and take a greater interest in its administration and local politics was a political needs because the State had so far been the virtual preserve of a few individuals and, in order to alter this position, the Centre had to make its presence felt in the State. Besides, the Centre had a moral responsibility to ensure a clean and efficient administration free from corruption both in political and economic spheres in that region."

It was quite surprising that Kushak Bakula, a Buddhist votary of non-violence by faith and religion threatened to launch an agitation, if needed a greater agitation, against the Government of Jammu and Kashmir which had been ignoring the deteriorating conditions in his region.[24]

However, in November 1965, Dr. Karan Singh proposed a fresh scheme to resolve the regional tensions in the State.

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The District National Congress Ladakh had also submitted a memorandum to the Government of India in the same year seeking NEFA type administration for Ladakh.[34] Its President Kushak Bakula, M.P. in a Press Confdrence in Delhi on Sept. 14, 1967 said that the Ladakhis were tired of the discrimination practised against them by the Government of Jammu and Kashmir and therefore wanted "this region to be brought under the Central administration. He further added that establishment of the NEFA type administration would enable them to develop side by side with the rest of the State. He alleged that despite repeated representation and discussion with the State for the last two decades, the conditions of the people had not improved.[35]

The Gajendragadkar Commission also recommended for Ladakh region, among other things, a full fledged Cabinet Minister from the region, setting up Regional Development Board for Ladakh, ~~the~~ Degree College at Leh and a Higher Secondary School at Kargil.[36] The Gajendragadkar report, therefore, became an effective instrument for the Ladakhi leadership to press for their demands.[37]

The Kashmiri leadership, however, said to have followed the policy of divide and rule in the region. The political factionalism had emerged into two Congress groups in Ladakh District Congress(I). Mr. Sonam Norbu, Kacho Mohammad, Ali Khan and Kushok Thinsey and their supporters lent support to Mr. Sadiq and felt that Ladakh received a fair deal at the hands of the Sadiq Government.

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The other faction expressed their dissatification with the policies and attitudes of the then State Government, towards Ladakh region.[39] The factionalism, however, caused frustration even in the Buddhist Association.[40] Its demands were, therefore, opposed by Sonam Narbu group in Congress on the ground that Ladakh could not be separated from the rest of State because it would simply mean the disintegration of the entire Jammu and Kashmir State. Sonam Narbu and his group did not even favoured NEFA type of administration for Ladakh because it was also not free from irritations and tensions.[41] They also condemned Kushak Bakula for his policies. Thiksey Nonestary Head Lama, Kushak Thiksey and a few others disapproved even Kushak Bakula's demand for a centrally administered Ladakh because it would lead to dismemberment of the whole of the State, with far reaching consequences.[42] G.M. Sadiq declared that 'Any attempt to pursue such separatist ideas would be firmly scolded.'[43] He also ruled out any possibility of central intervention in the matter and ~~team~~ team of M.Ps visiting Ladakh to study the problems of ~~Ladakh~~ Kargil.[44]

In short, trouble started in Ladakh region in April, 1969 because of alleged apathetic approach of the government towards Ladakhis grievances and its divide and rule policy perpetrated in this region.

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# THE EDUCATIONAL PHILOSOPHY OF SWAMI DAYANAND SARASWATI

*By DR SHEETA GUPTA*

Being one of the great heros, the rishis, the saints, the religious and social reformers, supporters of vedas and other holly texts, Indian collosus and comtemporary Indian philosophers Swami Dayanand Saraswati was not only a greatest rationalist but also a greatest educationalist of his time. While stressing the importance of education in the life of a human being he said "Blessed are those men and women whose minds find pleasure while working in the field of Education....."[1] He was so particular about the cause of education that he devoted one full chapter - Third Chapter - of his Magnumopus Satyarth 'prakash - the spot-light on truth or light of truth, which was actually the result of the extensive churning of philosophies of almost all the living religions spread in the world he did in search of truth on the banks of the Normada, on the towering heights of the Himalayas.[2]

His philosophy of education is briefly discussed under the following heads :-

His views on

According to Swami Dayanand Education is a mean for character formation and righteous living. He further pointed out that "Education is that by which man attains happiness and the good virtues of knowledge etc. and leaves evils like ignorance....."[3] He believed that education was a part of

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social activity. He added that, the system of education which did not take into account the real state of society was not a true education.[4] According to him the main function of education is to make men and women disciplined; of good character; to speak the truth and nothing but thruth; free from pride and evil, help others in making their lives subbine; to help the needy and men in distress, and conse-crate their lives by strict adherence to the principles of enunciated in the vedas. Education also helps the men and women to be free from ignorance.[5] Such as :-

1. False notions about world and worldly things.

2. Considering impure things like lustfulness and untruth fulness as pure.

3. Believing that excessive sexual indulgence is a source of happiness and

4. To consider dead material things as possessing of soul.[6]

Aims or objectives While refering the aims of education, he maintained a pragmatic and practical outlook. In the vedic traditions he considered salvation to be the aim of education. But his salvation is not an extra-terrestrial goal. It includes the realisation of human perfection as an individual as well as a collectivity here on the earth. He, therefore, laid emphasis on right knowledge and right conduct.[7]

Education in the Family :

Swami Dayanand elaborated his educational theory about child's education. He held the view that no one can achieve

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knowledge without the guidance of three great teachers - the father, mother and the preceptor. Emphasising the importance of family in the education of the child he said, Blessed is that family and fortunate is the child whose parents are well read..., pious and great scholars."[8] As child's education starts in the family, education of the child presupposes education of the parents. The parents should present good examples before the children as the children tend to copy the parents.[9]

A mother plays an important role not only in upbringing of the child but also imparting the education at the initial stage. She educates the child through her immense love. As soon as the child is able to understand, the mother should instruct him in refined character and manners. The initial teaching of language is carried on in the family through parents.[10] The mother should see that he uses his tongue properly, so as to pronounce letters distinctly in the right place and with the right amount of effort. She should try to cultivate a sweet, subdued and pretty voice inher child. He should also be taught how to address his superiors and inferiors, father, mother, king and a learned man, and how to conduct himself in their presence. Parents should endeavour to inculcate in the minds of their children an intense desire for the love of knowledge, elevating company and centrol ofthe senses.[11]

Role of mother in educating a child :

Swamiji desired that all mothers should be ever vigilent in bringing up their children. They should always through persuasion and other means, din into the ears of their children about the importance of good manners and good living. This makes

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the children cultured. Mothers should also take care to see that the 'speech sounds' children originate from the right place and they should have sweet tongue. The care should also be taken to see that the child as it steps into youth, becomes so strong-milted and nothing disturbed him mind. He should become a lover of abstimacy, a lover of learning, a lover of good company and ~~xxxx~~ from love for undesirable sports. Mother should see that a child should neither weep nor laugh without reason, nor quarrel, nor indulge in cutting jokes, free from avarice, jealousy and hatered towards others refrain from thinking of evils and from the abuse of his reproductive organs, develop the habit of being straight forward and always speak the truth.[12]

Age of Schooling :

Children should be put to school after they have attained the age of eight to nine years. He stressed that before the children were admitted into schools, parents were advised to perform purificatory rituals like "yagnopa veetha" - thread ceremony.

There should be Government order and a division on the naturial level, forbiding boys and girls even of five or eight years from remaining at home. They should be put to school. Swamiji was in favour of compulsory education both for boys and girls.

At the time of admission into the educational institution the thread ceremony should be perform once again.

The boys and girls should be admitted in separate school made for both of them.[13]

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Daily routine in School :

The parents and Acharya should teach "Gayatri Mantra" to the children. After the recitation of 'Gayatri', the teacher should teach the children how to take bath, breathing exercise before morning and evening prayers. Besides these, the students should also be taught how to eat, how to speak, how to dress, where to stand and when and how to sit, how to pray and worship God. A spirit to retrain from evil should also be inculcated in them. While sitting ~~xxlxxx~~ secluded place near wate water, they should be taught to think of your weaknesses and try your best to get out of their clutches.[14]

Pre-requisite qualities of a student :

The seven vices, such as physical and mental inertia; use of intoxicants; infactuation, idle gossip; neglect of studies, vanity; and want of Brahmacharya should not be found among the students. Such students can never acquire knowledge. He further added that those who practice virtue, subjugate their passions and never loose the reproductive element are true Brahmacharis and can become learned men.[15]

Educational Institutions :

He was not in favour of co-education and pleaded seeparate institutions for girls and boys. The institutions where girls study should be purely manned by women only and those meant for boys should be manned by men. Boys of even five years bhould not be allowed to enter institutions run for girls. The same principle should hold good in respect of institutions run for boys too.[16]

He was of the opinion that the institutions of both boys

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and girls be located at least about ten miles away from clusters of human habitation, whether alies or villages. There should exist a distance of atleast five miles as between an institution meant for boys and institution meant for girls. These institutions should be located far away from the hustle and bustle of human conglomerations in almost secluded places.[17]

The treatment meted out to students in these institutions should be exemplary. All, including the children of kings or their nobles or of pampers should be fed alike of dressed alike. No discrimination should be shown whether in matters of food, dress or the austers way of living to the children.[18]

Education in the School :

He was of the view that the child education at school should be both positive and negative. Efforts should be made to develop in him such qualities as truthfulness erosion, patience, rationalism and scientific outlook towards the world in males and females right from childhood. They should be taught not to have superstitions beliefs in ghosts and wetches. He condemned astrology and accepted only that part of it which is known as abtronomy.[19]

Curriculum of Education :

Swami Dayanand prescribed almost similar types of education for males and females. He presented the following types of education.[20]-

1. Phonetics - how to pronounce different letters in their right places.

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2. Grammer - Then comes Grammar. It includes Ashtadhyayi. Book of roots (i.e. Dhatnpath), Book of groups (i.e. Ganapath), Book of prefixes and suffixes (i.e. Unodikosh) and last of all comes Mahabhashya (Expositionof the above four books of Panini by Patanjali).

3. Philosophy and Literature :

After a good grounding in the science of language the students had to study books on vedic vocabulary and philosophy. The Nighantu and Nirukta by Yaskaa had to be taught. Then they should study prosody (Chhadograntha) by Pingala.

4. Sciences - After the study of literature the study of sciences starts. The students should first study Manusmriti and then Valmiki Ramayana, the Vidurnti and some other selections from Mahabharata. Thereafter they should study six schools of philosophy.

5. The four Vedas with Brahmanas :

The most important part of the curriculum is covered by the four vedas with their four Brahmanas.

6. Upavedas - The students then study upavedas i.e. Ayurved (Medical Science) including works of charak, sushrut and others; Dhanur veda (Science of Government) which covers its two parts - civil and military; Gandharva Veda (Science of Music) and Atharva Veda (Science and practice of mechanical art).

7. Jyotish Shastra - This includes the study of arithmatic, algebra, geometry, geography, geology and astronomy.

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He stressed that only those books should be recommended for deep study which pass all serutiny.

Medium of Education :

He favoured mother tongue and the Sanskrit language as the medium of education. He strongly pleaded the cause of Sanskrit as a medium of instruction at all higher educational levels. He was opposed to use foreign language such as English as medium of education in primary as well as at the highest stage of learning.[21]

Role of Character in Educarion :

According to Swamiji children should receive good education, get themselve acquainted with and used to a way of life where character found a place of utmost importance. They should be able to grow physically strong and care should be taken to see that children should lead a life of a 'Tapasvi' - an austere life wedded to continence, from even the thought of a women.[22]

Appointment of Teachers :

Swamiji stressed on the need to appoint only teachers of good character. They should be well read and pious. Care should be taken to see that fellows given up to evil ways were not appointed as teachers. He pointed out that only men devoted and pledged to educate and to build up the character of children should find place in the field of education.[23]

Teaching Methods :

He not only prescribed a detailed curriculum but also pointed out the impediments which should be avoided by the

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teachers and the taught in order to achieve the aims of education. He stressed that 'Both the teacher and their scholars should avoid all those things that act as hindrances in the way of the acquisition of knowledge. He had then given a long list of such hinderences in the company of the wicked and lascivious people, contraction of bad habits, fornication, child marriage, want of perfect Brahmacharya, sloth in learning, cheating, examining or being examined, dishonesty, etc. etc.

He severally condemned those who were misguiding innocent people in the name of education.[24]

Value of Brahmacharya in Education :

Swami Bayananda had laid great emphasis upon the value of Brahmacharya both for the teacher and the students - male and female. He classify Brahmacharya into the following these grades[25] :-

1. The lowest i.e. Kanishta Brahmacharya

The shortest period for observance of Brahmacharya for observance of Brahmacharya for the student should be 24 years. He should read the Vedas, attain knowledge, get accustomed to a righteous way of living and then marry, if he wants to enter into life of a house-holds.

2. Middle order Brahmacharya

In this category a person should spent forty four years of his precious life spent in reading the vedas, maintaining strict celibacy.

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3. Brahamcharya of the superior type :

In this kind an individual leads a life of stiict continence upto age of 48 years. The vital airs come under his full control and the individual is able to master all branches of knowledge.[26]

While summing up the education philosophy of Swami Dayananda Saraswati I may say that his aim was education for perfection. He , therefore, sought this aim most vigrously, even sometime presenting schemes which are far from practicable in modern settings. His ideas about educational institutions, segregation of male and females educational institutions; gurukul system of education; condemnation of co-education; including every subject on the earth in the curriculum; teachers possessing high qualities, etc. may appear impractical to some and too rigorous to others; beyond the capacity of most of the males and females in the present day society and impracticable by any criteria. But one should not forget that he was supporting vedic phisolophy of education with all its advantages and disadvantages. By condemning superstitions, unscientific beliefs, immoralities and decuptain and by supporting education for perfection and scientific outlook, he was more a positive thinker than any contemporary one. He believed that vedic system of education alone could lead to the creation of perfect men and women with high standard of character and conduct and realisation of all-round perfection. He was rationalist and emphasised the use of reason in every field of human life. He had absolute respect for the vedas, whom he considered to be divine. At the same time he advised everyone to distinguish between 'Truth' and 'Untruth', use rational

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criteria and accept only that which was supported by sound logic.

He, however, rightly concludes his philosophy of education with the remarks that that country alone prospers where stress is laid on the spread of education, maintainance of Brahmacharya and dissemination of vedic knowledge. He, therefore, says, "Let all try their utmost to disseminate knowledge with all their heart, with all their soul, and with all the material resources at their command."[30]

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# PT. JAWAHAR LAL NEHRU'S PHILIOSPHY OF SECULARISM VIS-À-VIS THAT OF M.K. GANDHI.

Dr. Sheetal Gupta*

Religion, being embracing numerous aspects of man's life, had been a dominant force in human societies for quite a long time. It instead of binding mankind together in the lies of love and brotherliness, has been a fruitful cause of discord and strife between the groups of men. There are not only crusades and 'Jehads' fought in the name of religion between nations, but also persecution of individuals who had the courage to adopt and follow religion or not to confirm to the tenets and practice of the orthodox within the fold of the same religion. Though at the root of all faiths is God yet the history of religion illustrates the tragic effect of intolerance and exclusive faiths. Religion or communalism, therefore, lie at the root of creating all religious conflicts and crisis, communal virus, bitterness, animosities, wars, massacres among the various religious groups, breaded intolerance and disturbed peace of the masses throughout the history of mankind.

However, the discoveries in the domain of physical science, celestial sphere, renaissance in the west and emergence of rationality in human behaviour have shattered the centuries old obscurantism[1]. Secularism, which emerged as a reaction against excess of religion, excessive religiosity and orthodoxy was, therefore, essentially a product

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of the conflict between religion, society and politics[2] over the years, the usage of secularism became wide-based as it carried additional connotations from different social contexts. The reality is that secularism as a socio-politico ethos is only an instrumentality to achieve a system of ordering and arranging the human affairs.[3]

Secularism, being a modern concept, has, therefore, been evolved through the ages, out of history and tradition; culture and ethos, which resulted in the synthetisation of many current and cross-currents of thought and philosophy.

The movement towards secularism has been, thus, in progress during the entire course of modern history and has often been viewed as being anti-religious.

Considering, secularism as a way of life and secular attitude vital for a modern rational society. Max Weber has rightly said :-

> "The attributes of secularism began to be considered essential because the origin of economic rationalism depend not only on rational technology and rational law but also, in general, on the capacity and disposition which men had for certain kinds of practical rationality in the conduct of their lives."[4]

The term 'secularism' has therefore, several connotations and represents different dimensions such as[5] (a) separating the sphere of the state from the religion; (b) equal treatment of all communities by the

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state; (c) rational critique of religious beliefs and above all (d) the vital domain ensuring just and fair living conditions for the people. Thus, any struggle for secularism will have to be a struggle for all these dimensions.

As India represents a multi religious society and a multiplicity of socio-communal groups, which on occasions bring a situation to an impasse, generating lots of anomic and tensions leading to sporadic incidents of violence, secularism here acquires not vital significance but also assumes predominant importance.[6]

Unlike the west, where secularism had been evolved out of various kinds of historical situations, secularism in India, being defined "as equal status for all religions"[7] can be examined and analysed in the light of the problems of determning the relationship between religion, politics and the society. While explaining the concept of secularism in an old multi-religious traditions like that of India. Dr. Radhakrishnan said

> "Secularism here does not mean irreligion or atheism or even stress on material comforts, it proclaims and lays stress on Universality of spiritual values which may be attained in a variety of ways".[8]

Pt. Nehru and M.K. Gandhi, however, being most outstanding leaders of Indian freedom movement were secular in their thoughts and actions. But secular approach of both of them was, however, remained basically and fundamentally different.

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Nehru emerged on Indian political scene when Britisher were applying their nefarious policy of 'Divide and Rule' and provided representation in the various provincial assemblies on communal bases. They even provided separate representation for untouchable and backward communities of Hindus. These provisions not only damaged the harmonious and good neighbourly relations between both religious communities but also created chasms even in the Hindu community.[9]

"Nehru's secularism proceeded from his liberal cultural upbringing Agnosticism and the absence of any transforming religious experience had strengthened his secularism".[10] His understanding of secularism was not derived from any dictionary or borrowed ideology. It was, however, the product of personal attitudes, historical circumstances and compulsion of policy.[11] His concept of secularism contains equitable human social order where people who profess different faiths live in harmony and tranquility. [12] He was of the view that :

> " If India is to be remain strong and united then secularism is must because this is the only way when the people of India, having different castes, creeds, community, colour, language, curtons and traditions can be brought under one umbrella".[13]

Gandhi, though appeared on Indian political scene when struggle for freedom was at the infancy stage, yet, his influence on Indian mind had been profound and not limited to those who agree with him or

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accepted him as a national leader but extended to those who disagreed with him and criticized him. His thought and personality was a movement in itself. He also stood for a secular state in India. In one of his articles in Harijan he wrote that the state should be secular. He said :

> "The state to be secular. The state should undoubtedly be secular. Everyone living in it should be entitled to profess his religion without let or hindrance, so long as the citizen obey the common law of the land."[14]

In contemporary Indian politics the notion of secularism has; thus, drived indirect strength from Gandhi's respectful regard for all great religions of mankind.[15] E.M.S. Namboodripad has rightly described Gandhi as "Father of Nation" and Nehru as "The architect of free India". The national movement had been shaped by M.K. Gandhi whereas social democratic nuances given to it by J. Nehru.[16]

As one of the major issue in the context of 'Secularism is the force of religion and any struggle to achieve it will have to consider religion very seriously. Pt. Nehru while condemning the use of religion for political purposes pleaded for separating religion from politics. He developed an aversion towards religion from the very beginning. He said "I am not wedded to any dogma or religion but I do believe in the innate spirituality of human beings". He believed that it had lost its social value.[17] He left completely frustrated with the practice of religion. He had recorded his impression in his Autobiography :

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> " The spectacle of what is called religion in India and elsewhere, has filled me with horror. I am not a religious man, dogmas do not appeal to me. Religion is narrow and intolerance of other opinion and ideas; it is self centered and egoistic. It does not help, but even hinders, the moral and spiritual progress of people." [18]

He held the view that organised religion should not have a major role to play politically because religion was a private matter for individual and could not be exploited for political purposes. He further pointed out that admixture of religion and politics would mean a throw back to medievalism. He often branded religion as superficial and selfish. He believe that religion being not an agent of social change acted as obstruction for modernisation and progress. He was of the view that his concept of secularism is not the negations and condemnation of any particular or all religions but to respect all religions and conduct the affairs of state in an impartial manner and having no bias and prejudice in favour or against any religion.[19]

Nehru, being an architect of Indian concept of secularism, got basic ideals[20] of secularism clearly embedded in the constitution of India and succeeded making them fundamental laws of land. He also got the system of communal electorates abolished. In short he succeeded, to a greater extent in bringing about an atmosphere of secularism in Indian society as well as in polity. It was, therefore, in material if the fathers of

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Indian constitution did not use the connotation 'Secularism' any where in the constitution itself. Secularization in India, therefore, does not mean privatization of religion nor does it mean that the state will have nothing to do with the religious life of the people.

Gandhi's 'Secularism', on the other hand, did not believe in separation of religion from politics. He pleaded that religion must pervade all spheres of man's life. He accepted the creative force of religion in human history.[21] According to him religion signified belief in the ordered moral governance of the world. He also accepted the spiritual and moral essence of all the great religions of mankind. He said true religion implied an emphasis on the moral values of man as spirit and as soon as the moral basis would lost one ceased to be religious. He also believed that all religions were founded on the same moral laws and it provided dynamic impetus in one's action and life. Religion should, therefore, pervade all spheres of man's life.[22] In one of his article in Harijan he wrote :

> "Religion to pervade all spheres of life - The whole gamut of man's activities today constitutes an indivisible whole. You cannot divide social, economic, political and purely religious work into water tight compartments. I do not know any religion apart from human activity. It provides a moral basis to all other activities which they

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would otherwise lack, reducing life to a maze of sound and fury signifying nothing" [23]

For Gandhi, religion was more important than politics. He pointed out that first he was a religious man and he took to politics only because politics encircles us like a coil of a snake. At the same time he fathered the policy of its non-interference in the internal administration of the states.[24] He sought to spiritualize politics. Spiritualization of politics, for him meant that means in politics and elsewhere should be pure and noble and the means were more important than ends.[25] Pt. Nehru also admitted that he was attracted by Gandhi's concept of spiritualization of politics which meant the stress on right means. He pointed out that Gandhi's religious approach was a moral approach and it brought about a spirit of mission in politics as against expediency and opportunism.[26] He was often disturbed when Gandhi's religion seemed to cross the border line between religion and superstition.

While regarding secular education an imperative in the Indian situation to bring about modernization and change. Pt. Nehru not only stood for separating education from religion but insisted on imparting scientific education to all. He was very particular that scientific temper should be the main component of education. He said :

"I have a partiality for the literary aspects of education and I admire the classics, but I am quite sure that some elementary scientific training in Physics and Chemistry

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and especially in biology, as also in the application of science is essential for all boys and girls. Only thus can they understand and fit into the modern world and develop, to some extent at least, the secular temper." [27]

Gandhi also stood for secular education but he wanted fundamental principles of ethics to be included in education. He insisted fundamental principles of ethics (as are common to all religions) to be taught to all the children. He believed that the study of other religious, besides one's own would give us a grasp of the rock-bottom unity of all religious and afford a glimpse of that 'universal and absolute truth which lies beyond the dust of creeds and faiths'.[28] At the same time he believed that teaching of ethics was certainly a major concerned of the state.[29]

Nehru condemned Muslim communalists as well as Hindu communalists and pointed out how they encouraged one against the other in different periods and he wanted to create communal accord through the creation of a common rational or social outlook.

According to Nehru communalism in India created because of economic problems and associated with the class interests of the upper middle class. He was of the view that Hindus and Muslims were fighting for jobs and their class interests. He stressed that if India's struggle for political freedom could be translated into a struggle for social freedom also communalism would vanish.[30]

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Gandhi, however, considered Hindus and the Muslim not only two wings of the same bird but also as the "The two eyes of Mother India. He asked both of them to realise the fact that the whole of India suffers when either Hindu or Muslim suffer.[31]

Gandhi was of the view that both the Hindu and Muslims belong to India. They are born of the same soil, have the same blood and speak the same language. (The same climate, rivers and fields supply both the air, water and food. They live under the same sky, in calamities that overtake the country are afficated in the same way, irrespective of their religious beliefs). They have common joys and common sorrows. The political and economic grievances of both communities are identical. He stressed that God and nature did not distinguish between them, why should man... do it. These affinities were enough to highlight the common bond between the two communities. He held that it was not right for either of the two communities to remain hostile towards one another.[32]

Gandhi was of the view that communal dissension between the Hindus and Muslims were the creation of the British government which itself based on over all distrust of the Indians. He thought that untill the British rulers were eased out, the chances of communal harmony in India would be bleak. [33]

While regarding the then prevalence of caste system in the Indian society as a biggest stumbling block in the way of secularism and the

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caste ridden society could not properly secular. Pt. Nehru wanted to abolish caste system in society.

Whereas Gandhi, believing that the caste system as it then existed an anachronism, repeatedly made clear that it must be eliminated. He stressed that it must go if both Hinduism and India were to live and grow from day to day.[34]

Nehru wanted establishment of socialist order first within national boundaries and eventually in the world as a whole, with controlled production and distribution of wealth for the public good.

Gandhi, on the other hand wanted to go back to villages not only a self-sufficient nation but almost a self-sufficient village. For Nehru, secularism goes with democracy and there can the no secularism if there is no freedom, liberty and equality. As a passionate and genuine defender of freedom he wrote :

> "To crush a contrary opinion forcibly and allow it no expression, because we dislike it, is essentially of same genus as cracking the skill of an opponent because we disapprove of him".[35]

Gandhi was a prophet of rural-mindedness and was a democratic humanitarian almost by instinct.[36] He, being a democrat of the masses having intense deviation of the concepts of moral and spiritual freedom, had a tremendous urge for political freedom. But he emphatically pleaded for freedom in the sense of national independence. At the same

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time he never accepted the theory of freedom as arbitrariness of license. For him freedom was a process of growth in quest of an articulated system of coherent moral purposes and actions. He stressed that man who obtains freedom over his passions would not tolerate the social & economic exploitation.[37]

While comparing the secularism of Nehru and Gandhi Donald Smith said :

> "Gandhi's starting point was that of a religious man, who, believing all religions to be true, accepted a theory of state which fitted in with his belief; hence the secular state. Nehru's starting point was that of a practical political thinker and leaders who, while personally believing all religions to be mostly untrue, had to provide for their freedom to function peacefully without prejudicing the democratic system, hence the secular state."[38]

It is well known to all of us that both Pt. Nehru and M.K. Gandhi had their hearts set on establishment of a polity based on secularism in free India, but there are many instances which indicate dichotomy in their thoughts and actions. Both of them tried hard to appease the minority communities at the cost of majority.

Although India claimed to be a secular state yet it enacted certain laws pertain to the Hindus only. Nehru got passed the Hindu Code Bill

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which sought to modify Hindu laws regarding marriage, adoption, guardianship and woman's property rights. Many Hindus regarded such a move as direct invasion on traditional Hinduism. But he could not dare to bane polygamous marriage prevailing among Muslims in India despite of the fact that even the majority of Muslim countries had banned this practice since long back. Although he pleaded for the adoption of uniform civil code which he considered important for unity of India as well as survival of secularism. Yet he said that as Muslims were in a minority the Hindu majority should not wish to change Muslims personal law unless they themselves wanted it. This code was enacted for Hindus which included Sikhs, Buddhists and Jains, but not for Muslims, Parsis and Christians.[39] He and his party men even started throwing iftar parties and paying allowances for Maulvies from the state exchequer. He got initiated the scheme of providing financial assistance to the Muslims proceedings on Haj pilgrimage from the state exchequer. But he did nothing for Hindus pilgrimage proceedings on various pilgrim sites in India and in neighbouring countries. Though he propagated for secular education to all yet provisions were made to provide financial assistance to educational institutions run on religious basis like M.U. Aligarh and B.H.U. Moreover, Hindu's plea and protests to stop pre-empted mass conversion of Harijans to Christianity or Islam was viewed by him a pro-Hindu bias. On every occasion of communal strife they blamed the Hindus for that without going into details of incident. But where minority

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community persons were found guilty they could never dare to utter a word against them so openly. In short, in the case of minority communities they tried to be tactful and shrewd.

Believing in the equality of all citizens irrespective of their caste and religion they expected all sort of concessions from Hindus only. Rather they tried to provide more and more concessions and privileges to the minority community. Their this policy created a feeling in the majority community that minority community or group persons were more than equal in India. Perhaps, they took all the Hindus for granted to abide by their irrelevant, whimsical as well as arbitrary dictates.

Pt. Nehru gave due weightage and importance to the caste and communal consideration when he nominated his party candidate in constituency on the basis of dominating caste or religious groups. He involved Govt. of India in the celebration of 500$^{th}$ Anniversary of Lord Buddha in 1956 though he justified his association with the celebration of birth of a great Indian. He, on the other hand, directed Dr. Rajinder Parshad, the then president of India, not to attend the ceremony of rebuilding of Somnath temple in Gujrat.

He got acts passed in the Parliament to take stringent action against those civil officials who failed to maintain laws and order and tranquil communal atmosphere in their respective areas. But not even a single officer was taken to task for not discharging his duties properly from 1950 to 1960 during which a number of communal riots took place.

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He extended maximum protection and favour to the members of his caste. He generally preferred to keep a Chief Minister who was Brahmin. This can be justified if we go through the list of Chief Ministers during his tenure. Even Sayed Mir Quasim – The then Chief Minister of J&K once pointed out, "When I walk through the corridors of Parliament house I see so many resembling Kashmiri faces but to my utter surprise, none of them is a Muslim but they are all Kashmiri Pandits only".

He even never hesitated to wave off essential requirements for a particular job and accommodate underserving and not fully qualified officers for senior appointments. E.g. Lt. General B.M Koul was given the charge of 33 corps of Indian Army during 1962 war where as he was from the army service corps and did not possess the requisite infantry warfare know –how.[40]

He had the traits of discourtesy also. He lacked the basic courtesy of attending the last rites of Sardar Patel who died in Bombay. He even went to the extent to ask Dr. Rajendra Parshad not to attend his funeral.[41]

I may conclude with the remarks that inspite of dichotomy in their thoughts and actions both Nehru and Gandhi contributed to the best of their abilities to the growth of the secularism and in the process of secularisation in India. Secularism in India, they believed, was nothing but a continuation of India's traditions of religious tolerance, scientific temper, rationalization and promotion of the spirit of enquiry. Both

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wanted to make India united and strong where the people from all walks of life could be allowed to live in tranquil and peaceful manner with all the basic amenities of life. Their integrity and sincerity was above board. If there were any lapses in this regard, these were due to the system which they inherited from the Britishers.

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# Patel and Nehru:
## Converging Men with Diverging Views

In the twentieth century the three most notable names of which India can boast of with great pride are Mahatma Gandhi, Jawaharlal Nehru and Sardar Vallabh Bhai Patel. Gandhi, who single-handedly piloted the Indian nationalist struggle against British gradually withdrew from playing an active role like a mahatma and left the final task to be accomplished by his two faithful lieutenants Sardar Patel and Jawaharlal Nehru.

Sardar Patel, the iron man as he was rightly called, will always be remembered for the accomplishment of the most daunting task after the partition i.e. the integration of the Indian states. He was one of the important names who selflessly steered the freedom struggle of India. At the moments of desperation and disappointments even Gandhi and Nehru looked for his ever-valuable viewpoints and suggestions. He was known for his decisiveness, sagacity, farsightedness and strong determination. History bears the example that whenever people faced critical situations and were placed in a state of indecisiveness it was Patel who bailed them out of the situation and whenever his views got the backseat issues plunged to the fore (though not always). Patel performed the mammoth task of integrating the 562 states into the Indian fold in a miraculous bloodless revolution. Patel, the Bismarck of India, performed the role of a political architect and displayed architectonic qualities of mind, which like his presence was hard, massive and granite.

The personality of Nehru is probably more prominent and appealing among his contemporaries because of his multi-dimensional role that he played as a sage, scholar, visionary, nationalist, statesman and politician. As a nationalist he not only fought for the freedom of India but he also worked for the values of democracy and socialism and strived for international peace, co-operation and non-alignment at the global level and industrialization, economic development and poverty elimination at the domestic level. Nehru, the architect of Indian foreign policy, not only envisaged

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for India a free and independent foreign policy but also raised the status of the country in the world community.

During their long companionship Nehru and Patel never lost their original clout and dispositions they were known for. On several instances they were forced to be one. They had very different temperaments. and Nehru's more flamboyant style and self-possessed cosmopolitanism had often jarred on the older Patel. Moreover, the one was conservative on socio-economic issues, while the other was a self-confessed socialist. Patel's attachment to Gandhi was also strengthened by his sense of the vital importance of the Hindu culture in the making of the new India, compared with the Nehru's assertion that Hinduism was holding India back from becoming a modern nation. This now led them to have very different sensitivities towards the Hindu refugees from partition and the place of Muslims in India.[1]

The two differed in their approach as well as in handling the things. Patel a clearheaded action-oriented person meant the business. His philosophy of life may be summed up in the words, "why not create history rather than waste time in writing it".[2] On the contrary Nehru, an idealist, lacked the knack of observing the events from a diplomat's eye. A sequence of events that followed partition tell that while dealing with some crucial problems (integrating the states, Kashmir issue and Tibetan crisis) Nehru couldn't assess the things in totality and it was Patel who came to his rescue. Being a senior Patel always thought of guiding the young Nehru but on several instances the two strained their relations so much so that Gandhi Ji had to do the patchwork.

The friction between the two continued even after the formation of interim government where the Prime Minister and his Deputy Prime Minister had different perspectives over the exercising of their powers. Nehru's style as Prime Minister, particularly his intervention in the affairs of the other ministries became a source of friction. To Patel, Nehru's understanding of this new role was leading him perilously towards virtual dictatorship, in opposition to both democratic and cabinet government. Nehru felt that in order to play a coordinating and supervising role he had to have freedom to act when and how he chose.[3]

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It was the irony of the time that when Patel could have become the first Prime Minister of India he refused to do so just on the advice of Gandhi Ji. In 1946 twelve Provincial Congress Committees had nominated Patel for presidency and only three, Nehru. It was on the intervention of the Mahatma that he retired in favour of Nehru because of his better links with British and foreign states. If he would have resisted Gandhi's advice there was no power, which could have stopped him from becoming India's first Prime Minister.

Being more pragmatic and action oriented person he would have made a great difference in the ensuing events after partition. He believed in a strong and integral nation and turning India into a politically, militarily and economically strong nation could do this. His first preference was to unite and strengthen India, for a weak nation would contribute little towards world order and peace. He believed that India would never be recognized as a world power unless it becomes militarily and economically a strong state

In this paper we do not tend to glorify Patel at the cost of Nehru. Nehru had his own realm of thought and action, which was par excellence. He is, no doubt an international celebrity but in the course of history where wit and strength together were required his idealist utopian response proved fatal. How a man, who sat at the highest echelons and commanded overwhelming trust from the countrymen performed, needs to be studied, and truth be told. In Part II we take the issue of integration of Indian states with special reference to Kashmir. Part III deals with the Nehru's China policy vis-à-vis the opinions of Patel over that.

## II

The one major development that India faced soon after partition was the question of Junagarh, Hyderabad and Jammu & Kashmir. These were the states where the League and Pakistan were playing their game. In these states and in some more areas League had succeeded in creating stirrings and upheavals.

Junagarh, a Hindu dominated state, ruled by a Muslim, Sir Mahabat Khan Hussain decided to accede to Pakistan. It led to serious internal tumult and disturbances

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in Junagarh. The population of Junagarh, according to the 1941 census, was 6.71 lakhs out of which Hindus were 5.44 lakhs or 80 percent. To find a solution, a plebiscite was conducted on 20th February 1948 under the supervision of C.B. Nagarkar, a Bombay Judge. The verdict of the people came in favour of India and Junagarh became a part of India. Why Pakistan accepted the accession first and then the consequent development that led to it's joining of India was probably to ensure its repetition in Jammu and Kashmir. Sardar Patel also accepted this and was of the view that Pakistan wanted to use Junagarh as a lever against Kashmir.

Hyderabad, however, taxed his patience and resources. Patel called it the 'ulcer in the abdomen of India'. Nizam of Hyderabad, again Hindu majority (86%) state under Muslim rule, decided to remain independent. He also succeeded in postponing the accession of the state to India after having talked with Mountbatten. He signed a Standstill Agreement with India under which status quo was to be maintained. Some factors such as Hyderabad's being a soft, loyal and submissive stance towards British that kept them soft on the issue, its geographical location, and Nehru's preparedness to accept a special line on it made the things more complicated to Patel. Nehru's personal interest in Kashmir had shown the results and Patel won't allow Nehru to deal with the problem. Hence, Patel wanted to tackle the problem himself. The efforts of the Nizam of Hyderabad to internationalise the issue by sending his emissary Nawab Moin Nawaj Jung to New York to make a case against India in UN Security Council, was thwarted by the rising incidents of disorder, turmoil and violence by the members of Ittehadul-Muslimeen. In the districts of Parbhani and Nanded Hindus were butchered ruthlessly.

Aware of Nehru's intellectual doubts and concern for international reaction to any military move against Hyderabad Patel decided to handle the things himself. He finalized the date for the 'Operation Polo', which was to be launched by Indian Army on 13$^{th}$ of September 1948. To secure legitimisation for the operation a cabinet meeting was also convened by C. Raj Gopalachari. The meeting considered the matter and discussed over the details of the progress and no objection was raised against the operation. "Nehru gracefully agreed to all that was being done by Patel and the Defence Ministry".[4] On Sep. 18 Major General Chaudhari took charge of the state as the military Governor.

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As regards to the state of Jammu and Kashmir Maharaja Hari Singh, after the withdrawal of British visioned an independent Kashmir for himself. Though all the states acceded either to India or to Pakistan before or soon after the date of independence, Maharaja delayed his decision in regard to accession. He clamped several popular leaders like Sheikh Abdullah and Afzal Beg together with their followers behind the bars and remained silent over the historic forces that were shaping the destinies of one fifth of the world's population. He thought little over the fact that these very forces will determine the future of the state of J & K also.

Nehru expressed special interest in Kashmir. Being a Kashmiri Pundit Kashmir was of vital importance for him on some special grounds. Apart from being emotionally attached with Kashmir and his old friendship with Sheikh Abdullah, Kashmir was strategically of utmost importance as it fell amidst the states of China, USSR, Afghanistan and Pakistan. Therefore, it was essential that it didn't fall into the unfriendly hands. Its demographic composition also provided a ray of hope for the Indian secularism that he and his party had harboured for years. He wrote in November that Kashmir was undoubtedly going to be a drain on India's resources but it was an example of communal unity and cooperation. This has had a healthy effect in India and any weakening in Kashmir by us would create a far more difficult communal situation in India. [5]

Although, Nehru realised the strategic importance of Kashmir, yet he faltered time and again over the handling of the issue. His proximity with Sheikh, the Kashmiri leader who was consistently working against Maharaja and his Dogra rule and the loggerhead relations with Maharaja made the things worse. At this time when National Conference of Sheikh, Muslim Conference (pro-league organisation), Mirwaiz Maulvi Yusuf Shah, a religious fanatic and Maharaja and his Dogri clan were poised against each other, his preferences and choices alienated the Maharaja from the Indian Dominion. His siding with Sheikh who wanted nothing short of independent Kashmir by forcing the Dogris to quit Kashmir placed Maharaja in a perplexed position where he couldn't decide which way to go.

During the Junagarh drama also (that was handled so aptly by Patel) Nehru had committed a blunder falling into the words of Mountbatton who suggested a plebiscite

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to determine the future of the state. This is what Jinnah wanted as it ensured the same in the case of Kashmir. However, Patel was quick to manage the things as he insisted that the plebiscite in Kashmir would be subject to a similar one in Junagarh.

Regarding the Gilgit area that was to revert to Maharaja of J&K from British on 15th of Aug. 1947 (British had taken it on 60 years lease basis from Maharaja in 1935) Indian government was slow to occupy it and when Maharaja sent his man Brig. Gansara Singh to annex it Major Brown of Gilgit Scouts (pro-Pak) had already annexed it. Nehru again lacked foresight when Gurdaspur was awarded to India under Radcliff plan. While Pakistan imposed economic blockade on Kashmir India procrastinated over the supplies to Kashmir and building up new communication links with Kashmir. Patel who was not dealing with Kashmir was quick to see the things ahead. He lost no time in ordering the construction and widening of Pathankot Jammu roadway. This, 112 kms. of road was completed in a record time and proved to be of great help when the Kashmir battle was on.

After the tribal attack on Kashmir when a meeting was being held in the house of Nehru, Patel and Nehru differed over the dispatch of Indian forces to rescue Maharaja from the new situation. While Nehru and Mountbatton wanted to adopt the policy of wait and watch Patel's clear-headedness called for immediate dispatch of Indian forces. However, Nehru and Mountbatton forced the conditions of plebiscite and signing of the instrument of accession by Maharaja as a prerequisite for such action. "This enfant terrible midwifed by Mountbatton and Nehru today hangs like a proverbial sword of Damocles over our heads. Despite Patel's exertions to the contrary, Nehru, the hesitant Hamlet, succumbed to Mountbatton's pressure, and all our sorrows and sufferings in Kashmir flow from this original sin. Patel was right in his objections and Nehru wrong".[6]

Things didn't stop here. There was more to come. When the 'Operation Easy' commenced under Major General Yadunath Singh on the night of Nov. 6-7, 1948 the opposition got stumbled. By 18th of November Indian forces captured the last height, Point 5982 and Topa Ridge leading to Punch. By 20th of November our forces had liberated 1300 sq. kms. of the state territory. [7] It was a time when Indian forces were advancing quite fast. It was, but unfortunate that Nehru, once again on the advice of

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Mountbatton evoked United Nations. Before this Mountbatton had also advised Nehru to accompany him and hold talks with Jinnah and Liaqat. To this Patel had objected saying " for the Prime Minister to go crawling to Jinnah when we are the stronger side and in the right would never be forgiven by the people of India."[8] Patel's objection was too strong to be turned down, though, due to Nehru's illness the talks couldn't be held.

Nehru's reference to UNO when the Indian troops were in advantageous position proved to be the last nail in the coffin. Neither he consulted the Army officers nor Patel who wanted to clear off the Indian territory from the raiders. History has proved that in those crucial years of partition Nehru faltered time and again especially in the case of Kashmir which has turned out to be a permanent sore.

Being one of the founder member of UNO India's will to participate actively in the UN related activities became an important part of her foreign policy. India not only expressed firm belief in the ideology of United Nations but also sent her troops as part of UN forces to Korea. Even in Kashmir it was India that first reached UN to secure cease-fire. Had the Indian leaders kept the cool and waited the things could have been different in Kashmir. But it was the high idealism of Nehru and his strong faith in UN that he compromised with the immediate needs of the true statesmanship.

## III

One is convinced from the facts and records of the history that Nehru was the first to realize the importance of India's relations with China. He went to China on a goodwill mission as early as in 1939. His meetings with Chiang Kai Shek and Madame Chiang were far good from expectation. [9] But that after the change of power and ideology in China the new regime will be so hostile towards India was not in vision yet. On Sep. 7, 1946 Nehru observed:

"China that mighty country with a mighty past, our neighbour, has been our friend through the ages and that friendship will endure and grow". In his autobiography Nehru even thought in terms of a larger federal set up with China. " My own picture of the future is a federalism which includes China and India, Burma and

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Ceylon, Afghanistan and possibly other countries".[10] Such was Nehru's dream guided by the ideals of internationalism, humanism and confederation.

Nehru's socialist bent had a special niche for the Chinese communism and the revolutionaries that were reshaping the history. It was because of this that India didn't take much time in recognising communist victory in China on 30th Dec.1949 while completely ignoring the nature of government. This was done at a time when Chinese press and leadership was engaged in dubbing India as a pro-West state involved in precipitating the Tibetan crisis. Probably it was under this mettle that he couldn't read the inherent dangers of the Chinese view regarding Tibet.

China's hard line policy towards India continued till 1952. In one of his letters to B.T. Randive Mao observed that there was hope that the communists from the Anglo-American imperialism and its lackeys will soon liberate India. But Nehru's tenacity paid. He extended his unrelenting support to China at every time he got the opportunity. Against the wishes of USA and the west he was first among few to plead the entrance of China in UN. India was also quick to give full recognition to communist China and opposed the US policy of keeping the Formosa China as the sole representative of whole of the China. Despite Nehru's suggestion of holding negotiations with Tibetan spiritual leader Dalai Lama, China forcibly occupied the territories of Tibet and took over the reins. India's protest note was received with sharp reaction and she was told to mind her own business. But Nehru didn't get disappointed. Ignoring the previous stand India later on reconciled to the unhappy development. Even at UN when the Tibet issue was put for discussion India took the stand that the two should resolve the matter bilaterally. In 1954 while entering into an agreement with China India gave full recognition to China's control over Tibet.

India's divided role on the issue of Korea also helped the two countries come closer. When China directly intervened in Korea pushing the UN forces back from crossing the 38th parallel India refused to support the US sponsored resolution declaring China as the aggressor. This move of India was highly admired in China, which finally paved the way for the amelioration of relations between the two. All these developments proved conducive to the signing of the Panch Shil. This was a crucial time for Nehru. He couldn't annoy his immediate neighbours China and USSR

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from where he sensed more danger than the countries located at the other corner of the globe. Nehru's support to China and criticism of imperialism and colonialism created misgivings in the minds of the western states.

But the severe jolt to shatter the foreign policy of India was still to come. The Hindi-Chini Bhai-Bhai slogan was in the air. But the air was moist and vague. Things were not apparent. Even during these hay days of the Sino-Indian relations (so hardly earned by Nehru) few developments created suspicion in the minds of the Indian leaders. In 1954 some areas of the Indian territories were shown in China by some maps in China. In his October 1954 visit to Beijing Nehru brought this to the information of his counterpart who cleared his doubts by saying that those were the copies of the old maps, which were to be revised soon. But when in June 1955 Chinese troops intruded in Baramati area, 10 miles south of the Niti Pass, the suspicion grew stronger.

Despite of India's protests the Chinese activities along the line of control kept on increasing. India's protest notes met no satisfactory response till 23rd of Jan.1959 when Chau En Lai remarked that Sino-Indian boundary has never been formally delimited. This statement finally cleared all the doubts and made it clear that a potential border problem existed between the two. After the Tibetan uprising in 1959 India's granting asylum to the Tibetan leader Dalai Lama added to the problem. In these circumstances Nehru kept his cool and tried his best to seek a peaceful solution of the border problem. Nehru still held that " we should avoid doing or saying anything which might give the Chinese the impression of their national prestige and honour being hurt". To talk of the honour of an enemy when your honour is being consistently hurt was, obviously the talk of idealism and not of a statesmanship. On Nehru's invitation when Chau En Lai came to India in April 1960 the two sides struck to the positions strongly opposed to each other. India's move to strengthen its army along the line of control was strongly resented to by the Chinese. The tension gradually kept on mounting till the full-fledged invasion by China in 1962 when India suffered a humiliating defeat. The defeat was a personal shock to Nehru. The betrayal by China and the hostile press and parliamentarians who held him responsible for the trauma broke him completely.

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Regarding the China policy of Nehru people had different views. Even the members of the ruling party raised doubts about India's China perception being chiefly expressed by Nehru. Several parliamentarians also put forward a demand that government of India should take a strong notice of the Chinese action in Tibet and a fresh look should be given to the defense policy of India. It was also held that in changed circumstances in Asia, extra attention should be paid to strengthen the army. It was also called to shape the defense strategy according to the circumstances and look after the interests of Sikkim, Nepal and Bhutan.[11] Dr. H.N. Kunzru also warned about China's military preparedness and condemned Nehru for giving the impression that India was imploring China for settlement. Our national respect should not be lost sight of in the quest of peace. He called Nehru's unbounded faith in China as unrealistic.[12]

Sardar Patel had a different opinion over the Chinese view of Tibet. He perceived and quite rightly, the real designs behind the Chinese policy towards Tibet and the border areas. He sensed that the security and integrity of the country was in danger. While taking part in the Cabinet Meeting over the Chinese designs on Tibet he felt that Sardar Pannikar, Indian Ambassador to china worked under the influence of Nehru. Rajagopalachari and Gopalaswami mostly shared Patel's opinion while Nehru found a supporter in Azad. All in general knew his antipathy to communism as he thought of it as burdened and inspired by imperialism. He felt so concerned about the problem that he wrote a letter to Nehru on 7 November 1950. The letter exhibits his sharp anticipation and acumen and shows that how right he was in assessing the things. He wrote:

"The Chinese interpretation of suzerainty seems to be different. We can therefore, safely assume that very soon they will disown all the stipulations which Tibet has entered with us in the past.... recent and bitter history also tells us that communism is no shield against imperialism and that the communists are as good or as bad as imperialists. Other Chinese ambitions in this respect not only cover the Himalayan slopes on our side but also include important parts of Assam.... In the guise of ideological expansion lie concealed racial, national and historical claims.... In our calculations we shall now have to reckon with the Communist China in the north

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and north-east...a Communist China which has definite ambitions and aims and which doesn't in any way seem friendly disposed towards us."[13]

Nehru did not respond to the letter of Patel that charged Chinese action, 'a little short of perfidy' and called for urgent preparations against a potential enemy. But in letters to others, of which copies were also sent to Patel, he stressed the importance of understanding the new China:

"Chinese psychology, with its background of prolonged suffering, struggle against Japan, and successful communist revolution, is an understandable mixture of bitterness, elation and vaulting confidence to which the traditional xenophobia and present day isolation from outside contacts have added fear and suspicion of the motives of other powers. For inducing a more balanced and cooperative mentality in Peking, it is essential to understand those psychological factors." [14]

Regarding the integration and managing of the states the two had differed on several times and the same happened here. At this juncture, it was the ill fate of the nation that his energies were dashed by his declining health and had he survived for long the things would have been different.

There is no doubt that his physical health was deteriorated by his mental anguish also. His health confined him to his house. V. Shankar cites an interesting account about the dialogue that took place between Nehru and Patel while a meeting of Working Committee was on at Sardar's house. Sardar told Nehru that he was loosing his temper quite frequently these days and he didn't like the state of tension. Nehru replied that he himself sometimes did not know how his mind worked. Sardar told Nehru that despite all his efforts to soften matters and sweeten the embittered relationship he found that things were not taking a salutary aspect and as soon as he got better he was determined to have a long talk with him and put the matters right.[15] Unfortunately, that moment never came and the iron man got no time to bring the things in order.

Conversely, the charges against Nehru that his idealism and his slogan of "Hindi-Chini Bhai -Bhaism" were responsible for the inadequacies in security need to be analysed. Nehru was never unaware of the Chinese threat. His emphasis on normalising ties with China even after compromising on certain principles was guided

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by the very perception. As early as in 1952 Nehru said, " Never forget that the basic challenge in South-East Asia is between India and China. That challenge runs along the spine of Asia. Therefore, in your talk with the Chinese keep it in mind. Never let the Chinese patronise you".[16] At the time of his visit to Peking in 1954 during his discussions Nehru observed, " that some day or other these two Asian giants, were bound to tread on each other's corns and come into conflict, and that would be calamity for Asia. That was an eventuality which we should all strive hard to avert". [17] These words of Nehru sound relevant even today. " The continuing validity of Nehru's approach combining firmness with flexibility, restraint with accommodations remains unquestionable today when India and China are engaged in a political dialogue to normalise relations putting the hysteria and bitterness of the 1962 hostilities behind them. India's approach to Sino-Indian normalisation must be governed by the twin factors both closely interlinked and indeed mutually reinforcing of imperatives for friendly ties with China and the need for maintaining its honour and integrity".[18] The other aspect that needs attention is that was it the defense unprepared ness on the behalf of Indian government that led to the humiliating defeat of 1962. Explaining the equation of defence in the LOK Sabha in 1956 Nehru said: " in what lies the strength of a people for defence? One thinks immediately about defence forces. ...army, navy and air force. Perfectly right....how do they exist? what are they based on ? The more technical armies, the navies and air forces get, the more important becomes the industrial and technological base of the country...The equation of defence is your defence forces plus your industrial and technological background, plus, thirdly, the spirit of the people...The five year plan is the defence plan of the country". [19] What ailed Indian security was probably the lack of road development in the border areas.

A Border Road Development Board was established in 1958. According to K. Subrahmanyam "when the Chinese attack came the Board was just getting into strides. Infact, it should have been created about four years back".[20]

There were differences also about the stationing of Indian troops and organising of defence along the border. Should it be 50-100 miles south of the Mc Mohan line. Besides these confusions Gen Thimayya talked of India's defense limitations in July 1962. He said:

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"Whereas in the case of Pakistan I have considered the possibility of a total war, I am afraid I can't do so in regard to China. I cannot even as a soldier envisage India taking on China in an open conflict on its own. China's present strength in manpower, equipment and resources a hundred-fold with the full support of USSR, and we could never hope to match China in the foreseeable future. It must be left for the politicians and diplomats to ensure our security...."[21].

The statement of Thimayya reveals that India was under the impression that USSR was with China. This was a time when Sino- Soviet border dispute existed. It was probably failure on part of Nehru that when Khrushchev visited India in Feb. 1960 he didn't discuss the border issue with him.

The history of the 1962 could have been different had the Fourth Indian Army Division been given the chance to fight by its Commander in Kemang. The Division, records put, was well equipped than the Chinese counterpart and could have held back the Chinese forces for more than a week. If it had done so it is doubtful whether the Chinese would have been able to sustain their campaign. General Chaudhary, in one of his statements remarked in 1972 that " the available resources were not utilised effectively in 1962".[22]

There are different theories raised after the war. Indian leaders were perhaps less accustomed to the idea that Chinese invasion could occur so quickly. China's action to humble India was probably guided by the declining of Sino-Soviet relations and India's securing better ties with the latter. As late as in August 1962 India concluded an agreement with USSR to manufacture MIG - 21. This was an event of utmost importance. USSR also licensed India to manufacture a very sophisticated equipment for which it didn't license even China. The defeat of 1962 and the consequent charges that probably shortened the life of Nehru, was highly exaggerated. " If we take into account the magnitude of the crisis that India faced, it would seem that Nehru pulled her through it at a relatively low cost".[23]

The confusions of the war apart, the role of Nehru in ascertaining the defence requirements and assessing the security situation were not the chief factors behind the trauma. He was, infact, well aware of the security situation and hence talked of development of defence production base in India. For him, defense didn't mean

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armament, it meant the development of concerned infrastructure, and hence, the five-year plans were the plans for the better defence.

## IV

Thus the policies and plans envisaged by Nehru for the country were flawless but its implementation in certain spheres raised questions. India's stand on Kashmir (Promising the conduct of plebiscite) was guided by the ideals. Sometimes when the statesmanship was the need of the hour the idealism of Nehru took preference.

He could never give appropriate answers to the questions like why did he not consult military officers before negotiating a ceasefire. It was evident from the developments that Kashmir could have easily been freed from raiders had Nehru not interrupted. Patel had even warned Nehru about the dangers of a hasty ceasefire. The appointment of Ayyengar as Indian leader at UN with Sheikh was also poor selection against the opinion of Patel. He also appointed Krishna Menon as Indian High Commissioner in London against the wishes of Patel.

Nehru also failed to grasp the intensity of the Tibet issue. Instead of passing strong official strictures against the Chinese aggression of Tibet he adopted a mild and moderate path and still failed to earn the cordiality he was looking for. The issue of Tibet provided a good leverage for India to get her border issue justifiably solved forever but the opportunity was lost. There was enough time to strengthen the defense of India but for the procrastinations on behalf of the government country had to pay a heavy price. It was a trail of follies committed by him with no time for the patchwork.

H.V.R.Iyengar, a senior ICS explains the approach of Nehru and Patel quite appropriately. He says that Nehru was easy to get on with, kind and considerate to him and his colleagues but he didn't think of us, as a class, as being particularly distinguished. We were their to do a job of work...but not people with whom it was appropriate for him to discuss the pros and cons of any problem, and consequently, one didn't get the impression that one had any share in the making of the decisions. Iyengar believes that Nehru's judgement on many matters, especially on China, in the

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field of foreign policy and on co-operative farming proved disastrous because he acted on his personal beliefs and hunches. When people were asleep Nehru was working all by himself, he would formulate his policies and announce them without consulting and discussing them with anybody....On the contrary Patel wanted to make full use of the knowledge and experience which the civil service had acquired. He consulted the official machinery...He had the modesty, common sense and also a keen desire to be scrupulously fair.[24]

Nonetheless, he saved India from the cold war politics. His decision to stay with the Commonwealth of Nations was highly prolific in the sense that it helped India keep equi-distance from the power-blocs and still maintain good relations with all as also influence the world opinion. The theory of NAM that he advocated was probably the best way to secure better relations with all the members of the world community. His role as a saviour of the developing states fighting for their freedom and inclusion in the UN while coming down heavily on imperialism and colonialism will always be remembered.

Thus the story of Patel and Nehru is the one that of affinity and distance, convergence and divergence, stiffness and mildness and conflict and cooperation but the common goals and objectives kept the two together. There were instances that the two had to be made to talk by Gandhi Ji. Both possessed a broad mass base and commanded loyalty from the millions. However, Patel proved to be more correct in his judgements for which he will be remembered for long. He always had upper edge against Nehru whether it was party organization, mass following or historic judgements. Nehru had not even the courtesy to withhold the mailing of the telegram that carried the message of exemption of Patel from the charge of his portfolio, at a time when the latter was on deathbed, and more importantly when country needed him the most. Patel always proved to be man of sharp mind and broad heart. The two provide the convergence of the two most dissimilar and contrast personalities in the world history. Infact, the two represented the country's world known ethic of cultural unity in diversity.

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# Patel and Nehru:

## Converging Men with Diverging Views

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# GANDHI AND NEHRU

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Great men in all generations have been anxious, above everything else, for the improvement of the lot of human beings all over the world. Sometimes what happens is that even if the ultimate goal is the same, the means to achieve that goal can be many and varied. And this difference of approach even to achieve the same end can generate a lot of controversy. This is precisely what happened between The Father of Nation, Mahatma Gandhi and The Maker of the Modern India. Pandit Jawaharlal Nehru. It has been widely held that while Gandhi was the Sun of the nationalism around which all the planets of the Indian National Congress revolved, Nehru was a star that pursued an orbit of its own. Though Gandhi used to say very fondly 'Jawahar will speak my language when I am gone'

'I was bowled over by Gandhi straight off'. This is how Nehru described Gandhi's first impact on him[1]. In his Discovery of India. Jawaharlal compared Gandhi's advent on the Indian political scene to "a powerful current of fresh air that made us stretch ourselves and take deep breaths, like a beam of light that pierced the darkness and removed the scales from our eyes."[2] Jawaharlal not only fell under Gandhi's spell, but drew his father, and indeed his whole family within the Mahatma's orbit. Despite the twenty years and differences in their

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intellectual make-up, which divided young Nehru and Gandhi, a strong bond of deep affection developed between them.

Jawaharlal completely immersed himself in the non-cooperation movement. Gandhi's suspension of civil disobedience after Chauri Chaura in February 1922 came as a shock to him.[3] He did not, however, align himself with the Swarajist revolt. After Gandhi's release from prison in 1924, he was continually in touch with him, taking part in the promotion of Khadi, and other 'constructive' activities which happened to engage the Mahatma's attention.

After his visit to Europe in 1926-7, Jawaharlal visibly outgrew the social and political framework of the Congress Party. He denounced feudalism, capitalism and imperialism, and advocated the organisation of workers, peasants and students. Jawaharlal's radical utterances inevitably jarred on Gandhi and the Congress leaders, including his own father.

There is no doubt about the fact that Jawaharlal Nehru owed his position in the Congress to Mahatma Gandhi. For the Lahore Presidentship of Indian National Congress three names were suggested. Five Provincial Committees suggested name of Mahatma Gandhi, three recommended Sardar Patel's name while two recommended the name of Jawaharlal Nehru.[4] Gandhi refused to accept the Presidentship, the majority of the Congress men were expecting that he would welcome the nomination of Sardar Patel, the Hero of Bardoli, his most dependable Lieutenant. But when Gandhi suggested the name of Jawaharlal Nehru, the general body of Congressmen especially senior leaders who felt that they have been superseded, were astonished. For one thing, it was considered odd that a son should succeed his father to the Congress throne, and for another, there was regret that Sardar Patel's outstanding services has been overlooked. When Durga Dass the author of 'India from Curzon to


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Nehru' learned from private sources that Gandhi had succumbed to pressure from Motilal, he approached Gandhi to know the facts. The latter told him that, "Motilal had repeated with greater emphasis the argument put forward in his letter of July 1928, that Jawaharlal represented Youth and dynamism. He had agreed with Motilal, and the choice was particularly appropriate when Congress was about to launch a fresh struggle. He added that Sardar Patel would be with him in any case and that he was strengthening the movement by joining Jawaharlal in as an active leader. The Sardar would be an obvious choice for the next session."[5]

Jawaharlal himself felt humiliated over his election in this manner. He recoded in his autobiography, "I have seldom felt quite so annoyed and humiliated as I did at that election. It was not that I was not sensible of the honour, for it was a great honour, and I would have rejoiced if I had been elected in the ordinary way. But I did not come to it by the main entrance or even a side entrance; I appeared suddenly by a trap door and bewildered the audience into acceptance. They put a brave face on it, and, like a necessary pill, swallowed me; my pride was hurt, and almost I felt like handing back the honour."[6]

Jawaharlal Nehru again became the President of the Congress at its Lucknow session in March 1936 and then in Faizpur session in December, 1936. The decision was as usual, primarily that of Gandhi. IN a letter to Jawaharlal on September 4, 1935 Gandhi wrote, "Unless there is an insuperable bar you should take charge of the Congress ship next year."[7] Despite the persuasion of Rajagopalachari, Dr. Ansari and Sardar Patel to the contrary, Gandhi was keen that Jawaharlal should once again accept the responsibility even it is caused some embarrassment to some senior leaders of the Congress. Sardar Patel and Bhulabhai suggested the name of Rajagopalachari. In reply to a letter by Sardar Patel, Gandhi wrote on September 13, 1935, "Rajaji

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thinks you want to talk to him about the crown of thorns and says that, if it is so, your effort will be wasted. He says that he has given no assurance at all to Bhulabhai. He is in no condition just now to accept the crown. He is extremely tried both physically and mentally. With his 'consent' I have written to Jawaharlal and asked him...."[8] When Jawaharlal actually accepted the offer, Gandhi congratulated him, "Your Presidency is the rightest thing", he said "that could have happened for the country".[9] The Working Committee accepted Gandhi's suggestion as the only way of avoiding bitter controversy.

The atmosphere at the Lucknow Congress in April 1936 was surcharged with tension. Nehru was conscious of the fact that the Socialists were in a minority in the Congress, and therefore, he included only three of them, Jayaprakash Narayan, Achyut Patwardhan and Narendra Deva in the Congress Working Committee, and gave the remaining eleven seats to the old guard, the so called Gandhiites. But the new Working Committee found it hard to settle down as a happy family.[10]

The Socialists were anxious to drive their advantage home; the older leaders were suspicious and nervous; and Nehru himself was on edge. By the end of June the crisis came to a head, when seven members of the Working Committee sent in their resignations to Nehru. The argument of these members was that it was premature and even suicidal for the Congress to raise the social issue when the main political issue, that of Indian freedom, remained unresolved.

The Congress Party was still illegal in North West Frontier Province and parts of Bengal; its organization was in disarray; it had to contend on the one hand with inertia and internal dissensions, and on the other with British hostility. Anti-Congress forces, such as landlords and feudal elements in U.P., were being bolstered up by the government. Since a general election was due at the end of the year,

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the Socialist slogan of class struggle could prove costly to the Congress, because barely ten per cent – and largely the propertied class – of the population was entitled to vote.

Gandhi saw that the drift towards disintegration needed to be checked, if the Congress was to survive as an efficient instrument of the struggle against British rule. He insisted on the withdrawal of the resignations of the members of the working Committee, and vetoed the reference of the dispute to the All India Congreses Committee on the grounds that public discussion could only aggravate differences among the leaders, confuse the public and ruin the party's chances at the election. "I am firmly of opinion," the Mahatma wrote, "that during the remainder of the year all wranglings should cease, and no resignations should take place." He played down the crisis and described it as a 'tragi-comedy', and pulled up Nehru for his edginess: "If they (the members of the Congress Working Committee) are guilty of intolerance, you have more than you share of it. The country should not be made to suffer for your mutual intolerance."[11]

Nehru was prudent enough not to heed the advice of the hotheads among his admirers who were urging him to extreme course. If he had broken with Gandhi and the Congress in 1936, he would have dealt a blow not only to the Congress, but to his own political future. It was obvious that so long as Gandhi remained at the helm of the Congress, it was unlikely that any rival nationalist party could emerge or compete with it. The founding, or even the running of a political party, was not Nehru's métier. He could sway the masses, inspire intellectuals, reel off press statements and articles, run the A.I.C.C. Office, and travel from one end of the country to the other, but he was not cut out for the role of a founder or manager of a party. He did not possess Gandhi's gift for discovering, training and harnessing to the national cause men and women of varying abilities and temperaments.


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In any case, Nehru had no doubt, that a mass struggle against the government without the Mahatma was inconceivable, with better understanding of the balance of forces in the Congress and in the Country, Nehru realized that it was not by seceding from the Congress, but by influencing it from within, that he could push it in the direction in which he desired it to go.

In 1936, as in 1928, Nehru stooped to Gandhi but he had stooped to conquer. The Congress election manifesto bore marks of Nehru's militant nationalism and socialism; the election campaign, largely because of him, had the effect of awakening the masses. Finally, when the Congress accepted office it was on its own terms not on those of the British Government.

Again for December 1936, session at Faizpur, Jawaharlal was selected as the Congress President. This time again on the initiative of the Mahatma. In a letter to Mathuradas Tirikumji on November 16, 1936, he wrote, "In suggesting Jawaharlal's name for the President I had in mind only the country's good."[12]

Although at one time, Nehru had decided to resign from the Presidency of the Congress in order to devote himself to the electoral campaign he later on changed his mind on Gandhi's persuasion. Sardar Patel was also among the nominees for Presidency. As the session drew near he issued a statement expressing his willingness to President if the Congress so desired. Patel withdrew his candidature after knowing the views of Gandhi, but in doing so he stressed that his gesture did not imply that he "endorsed all of Jawaharlal's view and asked" the delegates to plump for Jawaharlal as being the best person to represent the nation."[13]

In 1946 the office of, the President of the Indian National Congress acquired particular importance as the incumbent of the office was to head, the interim government. This time Jawaharlal Nehru again


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became the Congress President., The interesting, aspect of the story was that this time too Sardar Patel's name was recommended by the provincial committees for the Presidentship. Sardar was the head of the Congress Parliamentary Board. Out of 15 provincial Congress Committees 12 had voted for Patel and two for Rajindra Prasad. However, the Mahatma again intervened and Patel had to withdraw in favour of Nehru. He felt that Nehru would be a better instrument to deal with English men. Explaining his choice. Gandhi said "Jawaharlal cannot be replaced today whilst the charge is being taken from Englishmen. He, a Harrow boy, a Cambridge graduate and a barrister, is wanted to carry on the negotiations with Englishmen".[14]

Many years later, J. B. Kriplani told Durga Das about Gandhi's preference as against Patel, He said, "like all saints and holy people Gandhi wanted 'significant men' among his adherents. A legend had grown round the sacrifices made by Nehrus for national freedom and Gandhi, therefore, preferred them".[15] In so far as Jawaharlal's election was concerned, Kriplani added, "All the PCC's sent in the name of Patel by a majority and one or two proposed the name of Rajen Babu and his in addition, but none that of Jawaharlal. I knew Gandhi wanted Jawaharlal to be president for a year, and I made a proposal myself saying that 'some Delhi fellows wanted Jawaharlal's name'. I circulated to the members of Working Committee to get their endorsement.[16] But most of the members of the Working Committee were not happy, at this move. For, they preferred Sardar Patel because he was known as the 'Iron Man' with his feet firmly planted on earth. He would be able to deal better with Jinnah and at the later stage, ensure the integrity and stability of the subcontinent. When Gandhi was asked for his reaction to this outlook, he readily agreed that Patel would have proved a better negotiator and organizer as Congress President, but he felt that Nehru should head the government. When he asked that bow he reconciled


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this with his assessment of Patel's qualities as a leader, he laughed and said, "Jawaharlal is only Englishman in my camp". Seeing. that it had further roused by curiosity writes Durga Das, "The Mahatma added Jawaharlal will not take second place. He is better known abroad than Sardar and will make India-play a role in international affairs. Sardar will look after the country's affairs. They will be, two oxen yoked to the governmental cart. One will 'need the other and both will pull together".[17] When Durga Das mentioned Rajindra Babu's lament, expressed to him, that Gandhi had once again sacrificed his trusted lieutenant for the sake of 'glamourous Nehru' and feared that Nehru would follow British ways, Gandhi replied that he appreciated the views of his colleagues but, felt that Nehru would see reason when confronted with the problem of improving the lot of the masses.[17]

It cannot be denied that so far as the implementation of Gandhi's economic programme was concerned Patel could be more reliable than Nehru who had openly differed from him. The only plausible explanation for big choice seems to be that while Patel controlled the Congress machine and was gifted with qualities which go to, make, -a statesman, in point of popularity he was no match to Nehru who had made himself the idol of the people.

Jawaharlal was not a Gandhian; he was not a Marxist. There was no orthodoxy, old or new which could claim him. But while his mind supposed from every where, his heart was Gandhian: Committed to the good in humankind with an unshakable conviction. Yet if any name has to be given to his special mix, then it has to be called the ideology of Indian nationalism.

But how was his vision of a transformed India to be attained? Nehru had before him a variety of answers to this question. The western European political philosophy in which he had been nurtured spoke of the power and legitimacy of democracy. Contemporary

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Marxist example emphasised the ruthless mode of violence masterminded by the state. Gandhi preached non-violence, even in the face of a Hitler, and argued that the ends never justified the means and that wrong means would lead inevitably to evil ends. Nehru wrestled openly in his published works with the issues of coercion and peaceful change. Throughout his life he remained a committed democrat, and was insistent that people and events could be changed by rational argument. But he recognized the enormity of the changes he envisaged for India and the likelihood that those vested interests might well not listen to reason or to the arguments of democratic politics. Although he did not agree with Gandhi that ends and means were indistinguishable and insisted on the primacy of the goal, he nevertheless cared deeply about means. In situations of conflict, and particularly in the circumstances of India's nationalist struggle, he saw non-violent methods of pressure as the most moral and civilized, and that was central to his alliance with Gandhi. But he insisted that he did not accept non-violence as an absolute ideal and creed. He was prepared to accept that in the last resort some more coercive form of pressure might prove necessary. 'Compulsion will often be necessary, in addition to conversion, and the best we can do is to limit this compulsion and use it in such a manner that its evil is lessened.' This was the voice of a mature politician who had learned to ask the hard questions in his apprenticeship to power and had before him goals to achieve, for which access to the power of the state was vital. The private and public agonizing about India's goals, priorities and means were the other side of the man who portrayed himself as a glamorous demagogue who could endanger democracy.

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# Status of Women in India: Problems and Concerns

Internship Project (December 2010 - January 2011)

Internees' Report

## 1. Status of Women in India: A Background

The origin of the Indian idea of appropriate female behaviour can be traced to Manu in 200 BC: "by a young girl, by a young woman, or even by an aged one, nothing must be done independent, even in her own house".India is a multifaceted society where no generalization could apply to the nation's various regional, religious, social and economic groups. Nevertheless certain broad circumstances in which Indian women live affect the way they participate in the economy.A common denominator in their lives is that they are generally confined to home,with restricted mobility, and in seclusion. Other, unwritten, hierarchical practices place further constraints on women.Throughout history, women have generally been restricted to the role of a home-maker; that of a mother and wife. Despite major changes that have occurred in the status of women in some parts of the world in recent decades, norms that restrict women to the home are still powerfulin India, defining activities that are deemed appropriate for women. They are, by and large,excluded from political life, which by its very nature takes place in a public forum.In spite of India's reputation for respecting women, including treating her as a Goddess, history tells us that women werealso ill-treated. There was no equality between men and women. This is true of ancient, medieval and early modern times barring some revolutionary movements such as that of Basaweshwara, the 12th century philosopher in Karnataka, who advocated equality, casteless society, status for women, and betterment of the downtrodden.Reform movements in the 19th and 20th centuries led by great social reformers provided boost to women's legal status in India.Independence of India heralded the introduction of laws relating to women. The Constitution provided equality to men and women and also gave special protection to women to realise their interests effectively. Special laws were enacted to prevent indecent representation of women in the media and sexual harassment in Status of Women in India: Problems and concerns 7workplaces. The law also gives women equal rights in the matter of adoption,maternity benefits, equal pay, good working conditions etc.At the international level, the UN Charter, the Universal Declaration of Human Rights and Convention on Elimination of All Forms of Discrimination against Women (CEDAW) sought to guarantee better legal status to women.However, certain contentious issues like the Jammu and Kashmir Permanent Resident (Disqualification) Bill 2004 (which deprived a woman of the status of permanent residency of the State if she married an outsider) and the Supreme Court judgment in Christian Community Welfare Council of India (in an appeal over the Judgment of the High Court, Mumbai). The latterhas permitted, under certain circumstances, the arrest of a woman even in the absence of lady police and at any time in the day or night. These instances have once again brought to the forefront the traditional male domination.

### INDIA'S FEMALE POPULATION

At the 2001 census, India had a female population of 496million. India accounts 15% of World's women characterized by vast regional differences and a variety of cultures. But, social discrimination and

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economic deprivation on the basis of gender is common to all, irrespective of religion, cast, community, and State.Empowerment of women, gender discrimination,and violence against women, which have become serious subjects of sociological research in contemporary times, was hitherto neglected.While contemporary social changes have exposed women to unprotected socio-economic, cultural and political environment, there are no corresponding protective social systems and institutions of social justice to safeguard their interests.There are many who are sceptical about women's ability to exercise equal rights with men and about their capacity to play equal role with men. But such apprehensionsare ill-founded in the context of the broader opportunities available for women following mechanization of industry and agriculture, enabling women to compete with men successfully.Innovations in science and technology have removed the disparity between men and

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## FEMALE FOETICIDE AND THE DOWRY SYSTEM IN INDIA

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### Introduction

The National Policy for the Empowerment of Women in India (2001) was a great achievement in the history of Indian women's human rights. It refers to many aspects of women's lives, and includes assurances that: 'Measures will be adopted that take into account the reproductive rights of women

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to enable them to exercise informed choices.' (6.2) And 'All forms of discrimination against the girl child and violation of her rights shall be eliminated by undertaking strong measures both preventive and punitive within and outside the family. These would relate specifically to strict enforcement of laws against prenatal sex selection and the practices of female foeticide, female infanticide, child marriage, child abuse and child prostitution etc.' (8.1) Yet, gender bias is traditional in India, with some states noted for female infanticides and female foeticides. The incidence of female foeticide is rising. I wish to argue that both are due to traditional son preference and intrinsically linked to the dowry system, which has technically been illegal since 1961 (The Dowry prohibition Act, 1961). The dowry system effectively commodified women, so they came to be seen as expensive, as well as less powerful in the economic exchange within the joint family system. As part of the development of women's rights, women now have the right to choose abortion, yet attitudes of expectant mothers continue to be influenced by the dowry system. Women themselves get caught up in under-valuing girl children. Women often prefer not to have girl children, because they will cost the family too much. On the one hand women 3are blamed for having abortions, yet they participate in sex-selection related abortions because girls are less valued.When daughters ARE born, families must hold back on economic resources to save for gifts to hewoman's future husband and his family. For example, Girls are denied the right to education, since expenses on their education is not considered to be an investment of higher returns. According to Janice Raymond (1994, p24) girls are breastfed for a shorter period of time, which denies their right to dequate health and nutrition. Girls are also not immunized, failure of which leads to poor health and sickness. There is suggestion that this can be a deliberate attempt to limit their lives. Early marriages are favoured in some Indian states like Rajahsthan, because families favour younger brides. The biological family no longer has to support the girl. The husband's family may view her as cheap labour in the household and fields, and more accommodating, in that they do not question their husband's family. Trafficking in India is rising, and sometimes this, too, is driven by the value of dowry. Some of the girls who have been trafficked are from Nepal. They marry Indian men in exchange for dowry. The young wife might then be sold in to brothels as child-sex workers across India. The paper will briefly discuss the status of women in India; the dowry system and the rising use of sex-selection technologies in female foeticide, to further develop my argument. Women in Indian Society India is a democratic republic with the second largest population in the world: 980 million total population in 1998 of, which 470 million consist of women (U.N. 1999, p18). The sex ratio for the total population has increased from 927 females per 1000 males in 1991 to 933 in 2001. However the sex ratio for the population of female children up to 6 years has declined from 945 in 1991 to 927 in 2001. 4The status of women in India has been a chequered one as it has seen many ups and downs. In the VEDIC Age 1500-1000 BC, they were worshipped as goddesses. In the Muslim age 1026-1756 AD their status suffered a sharp decline and in the British regime they were looked down upon as 'slaves of slaves' (Sachdeva 1998, p285). Women in India have made some rogress in the fields of education, health or economics or as a result of technological developments, or because of a process of evolution. Though in very small numbers today India has women in almost all spheres of life. Women of today are doctors, engineers, pilots, journalists, teachers, administrators, judges including a woman Judge in the supreme court, state governors, ambassadors, members of parliament and ministers. India has had a woman Prime Minister and a President of the UN Assembly. In spite of these achievements the fact remains that ordinary women's condition is a grim reality (See Chart 1). According to the 1981 census report there were 933 women per 1000 men, and 47 % literate men

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compared with 25 % of women who were literate. Dowry deaths, child marriages, the perpetuation of widowhood and the preference for a son continue to have social sanctions. As for the child marriages, out of the total of 321 million females, 147 million or 47 percent were married, and of these 2.63 million or 1.79 percent were in the age group of 10-14 years. In the rural areas, out of 115 million married females, 2.42 million or 2.41 percent were aged between 10-14 years .In the urban areas the figures are relatively smaller, out of 32.14 million, 0.68 percent in the age group of 10-14 years (Sachdeva, 1998). 5

Chart 1

Statistical overview of Status of Women in Indian society ,Statistical Overview of Women's Status

Population 846 million

Female 407 million

Male 439 million

Sex Ratio 927 females per 1000 males

Female Life Expectancy at Birth 58.1 years

Male Life Expectancy at Birth 57.7 years

Annual Population Growth 2%

Infant Mortality Rate (Female) 80 per 1000 (1992)

Infant Mortality Rate (Male) 79 per thousand

Literacy Rate (Female) 39.19%

Literacy Rate (Male) 64.13%

Gross Enrolment Ratio (Female) 92.9%

Gross Enrolment Ratio (Male) 115.3%

Drop-out rates (Female) (1993-94)

Primary level 39.1%

Middle level 56.8%

Drop-out rates (Male) (1994)

Primary level 36.1%

Middle level 50.0%

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Paid Work Participation rate (Female) 22.27%

22.27%

Paid Work Participation rate (Male) 51.6% 51.6%

(The reason for the figure being above 100% is that they include over-age children i.e. children who are above the primary school age group) CEDAW report on Indian women, Convention of elimination of discrimination against women. (www.wcd.nic.in/CEDAW accessed on 30/01/02) 6

The Dowry System

Traditionally, the custom of Dowry, long entrenched in male dominated society has attained alarming proportions over the last few decades (Ranjana Kumari 1989, p1). According to Goody (quoted by Ranjana Kumari 1989, p3), "Dowry can be seen as a type of pre-mortem inheritance to the bride". Thambiah defines Dowry as "Wealth given to a daughter at her marriage for the couple to use as the nucleus of their conjugal estate, by and large we can say that dowry in India and Ceylon (Srilanka) the notion of female property (Streedhanam) which technically is her property and in her own control though the husband usually has rights of management". (quoted by Kumari 1982, p3) Dowry normally means gifts given during the marriage to the son–in –law or his parents either in cash or kind. From the point of view of women's status, however, dowry has to be looked at as constituting what is given to the bride, and is often settled before hand and announced openly or discreetly. The gift, though given to the bride may not be regarded as exclusively her property, but includes what is given to the bridegroom before and after marriage; and what is presented to the in-laws of the girl. The practice of giving dowry was meant to assist a newly wed couple to start their life together with ease. However, now it has degenerated into a sordid commercial transaction in which monetary considerations receive priority over the personal merits of the bride. The Dowry system has always given rise to innumerable socio-economic problems of far reaching consequences and wide ranging ramifications. Of late, numerous incidents of bride burning, harassment and physical torture of the young brides and various kinds of pressure tactics being adopted by the husbands /in-laws pressurising for more dowry have compelled the social reformers and the intelligentsia to give serious thought to the various aspects connected with the very institution of dowry (Sachdeva, 1998, p301). Legislation by itself cannot normally solve deep-rooted social problems. Nonetheless, legislation is necessary to exercise educative impact besides providing legal sanctions against this social evil of devastating consequences. 7 It is in this context that while the Dowry Prohibition Act was enacted in 1961, the Dowry prohibition (Amendment) Act, 1984 was passed to further plug some of the loopholes in the original Act. It came in to force 2nd October, 1985, requiring that lists shall be maintained in writing and shall contain a brief description of each present, its approximate value, the name of the person who has given the present, and whether the person giving the present is related to the bride or bridegroom a description of such relationship, and shall be signed by both the bride and the bridegroom (Sachdeva, 1998, p302). The Dowry 'give and take' phenomenon is practised widely throughout India irrespective of caste and class. In spite of the legal sanctions women have been victims of Dowry harassment and victims of violence due to insufficient

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dowry given by the bride's family to the groom's family (Sachdeva, 1998, p302). In India an average of five women a day are burned in dowry related disputes and many cases are never reported. (www.un.org.rights/dpil 772e.httml 12/4/01) This can be attributed to an internalization of prevailing attitudes, which view women as inferior and see them as having only themselves to blame for their predicament. It seldom sees them as victims a form of oppression or of socially prevalent sex biases. Sex Determination: Abuse of Advanced Technologies Various techniques of sex determination and sex pre-selection have been developed during the last fifteen years (Kotala, 1983, quoted in Vibhuti Patel, 1996). Techniques such as fonography, fetoscopy, needling, chorion biopsy and the most popular one,amniocentesis are increasingly becoming household names in India (Ravindra, 1986, quoted in Vibhuti Patel 1996, p17) Amniocentesis is a scientific technique that was supposed to be used mainly to detect genetic abnormalities, which has become very popular for the detection of the sex of the foetus. For this 15-20 ml of amniotic fluid is taken from the womb pricking the fetus membrane with the help of a special kind of needle. After separating foetic cells from amniotic fluid, a chromosomal analysis is conducted on it. This test helps in detecting several genetic disorders like mongolism, defects of neotube in the fetus, retarded muscle growth "Rh" incompatibility, haemophilia and other types of abnormalities. This test is to be conducted on women above 40 years because there are higher chances of Mongoloid children produced by such women. In 8 some cases, a sex determination test is required to identify sex specific deformities such as haemophilia, retarded muscular growth, which mainly affect males. These tests have had serious implications, which is evident from the provisional results of the Census of 2001 that were released recently. The sex Ratio for the total population of the country has increased from (927 Females per 1000 Males in 1991 to 933 in 2001). The decline is most prominent in relatively prosperous states such as Punjab and Haryana. The combination of the system of patriarchy and feudalism inherent in the traditional dowry system and medical technology tends to perpetuate discrimination against girl babies. Taking cognizance of the link between pre-natal sex determination tests and the declining sex ratio among children, the Supreme Court, in a recent judgement, came down heavily on the central and state governments for having failed to implement the prenatal Diagnostic techniques (Regulation for the prevention of misuse Act 1994). The act which came in to effect in 1996 January, Provided for the regulation of the use of prenatal diagnostic techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex –linked disorders and for the prevention of misuses of such techniques for the purpose of prenatal sex determination leading to female feticide (www.flonet.comaccessed on 2/11/01, Rajalakshmi, 2001, p1) While factors such as poverty and the dowry system play a crucial role in people's preference for the male child, the bias against the female child among people who are relatively well off needs an explanation. Better living standards do not necessarily ensure a better deal for the female child. According to a documentary film entitled 'Let Her Die', produced for SBS on female foeticide "India is short of 25 million women". It starts by reporting 'Many individuals in Indian society consider that if in the first instance they have a baby girl it would be considered bad luck, in the second a disaster and in third a catastrophe'. In the South Indian communities they believe that 'Bringing up a girl is like watering a neighbours plant'. What is ironical is that Indian laws lack muscle to enforce them stringently in the community. Their husbands often abandon women if the appropriate amount of 'Dowry' as demanded is not gifted to his family and him. To be a single woman in India with a child is the worst stigma a woman could live with, that is the fate worse than death. With conditions such as these,

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Indian women justify female foeticide to be the only solution to discrimination that exists for the 'Girl child' from the minute she is born. 9

Conclusion

In summary, I have argued that the act of female foeticide is intrinsically linked to the 'Dowry system', to bring an end to abortions of female foetuses it is essential for Indian communities to bring an end to the ritual of Dowry. Indian women still have a long way to go until the National policy of Women's Empowerment lives in practice in women's everyday lives.

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# LAW, INSTITUTIONS AND WOMEN

Sadhna Arya

## Conclusion and Observations

In the context of women after independence, it was important as a first step to use law as an instrument to fight legally imposed impediments on the basic rights of women (e.g. equal property rights, custody and guardianship rights etc.). The political importance of these rights lay in their appeal for equality and justness of relations. The objectives were to attain legal protection and recognition to basic human rights of women. Rights in this sense amounted to legal and political resources to challenge patriarchal order of family and society. Thus, the purpose of law was not only to emphasise the formal legal equality but also to re-order and re-define social relations, by creating more rights and by creating more rights and challenging the oppressive and discriminatory order. The logic is that when an unequal law is retained the issue is not only that it discriminates but also as to what societal values and norms it legitimizes and whose interests it serves. Few conclusions that emerge from state efforts in the arena of law reforms are:one, law reform has not been taken up from the point of view of granting complete equality to women. Despite official/formal commitment to gender equality, the Constitution and laws of the country have continued to be a source of perpetuating inequalities between women and men especially with regard to their rights in family and marriage, two, laws have contributed towards reinforcing the image of women as wives and mothers and dependents on male members of family, through male lineage, through unequal property rights and no share in matrimonial property, three, laws have also been source of promoting sexual stereotypes, i.e. creating women's identity as chaste, loyal and ideal wives, selfsacrificing mothers and dutiful daughters, thereby creating two types of moral standards for women and men and four, laws also become the basis of extending or withdrawing protection to women, i.e. only good women need to protected. Laws on rape, prostitution and adultery specifically promote this. Another disturbing feature of some of the laws is treatment of women as offenders. The prostitution, anti-Sati, anti-dowry and sex-determination laws are blatant examples where the law considers women as guilty and therefore, liable for punishment. Legal reforms, thus, instead of reconstituting identities of women which are liberating and based on equality have served to deny women many rights within family and marriage and reinscribe the assumptions of women's dependency in family, women as primarily mothers and wives adhering to the norms and standards set by family and society and in sustaining public/private distinction. Such a view not only assumes the homogeneity of women's experiences but also assumes the sexual division of labour as natural and universal. Both the assumptions of law fail to acknowledge diversity of women's experiences beyond their wifely and motherly roles and are faulty because women's lives are not based neatly on sexual division of labour and also because law fails to address the issue of domestic labour of women within the family. An important aspect of law reform in India has been with regard to women's rights within religious personal laws of various communities. The debate on changing and reforming personal laws or framing a common code has always been shrouded by minority-majority identity and national integration arguments. The religious nature of personal laws has been used to avoid any politically costly law reform. Despite the claims of the state that it is working to improve the position of women, on the question of incorporating the principle of gender Foundation Course Human Rights, Gender & Environment equality in all personal laws, the state's position has been dependent on the considerations of national integration and electoral politics.The increasing communalization of politics and state's treatment of purely women's rights issue in religious terms have resulted in increasing the powers of religious leaders of both the majority and minority communities. The state's treatment of issues of women's rights in family as religious issues has had the impact of limiting or taking away rights of women in order to guarantee freedom of religion. Since the issue of religious identity is so closely tied with regulation of relations between men and women in family and society, the state can only be seen as an ally in perpetuating a patriarchal system.The reason for the state's inability to ensure legal equality for women in the area of family laws is not because the state lacks the

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legislative powers to reform the religious personal laws. One finds that the state at times has used its legislative powers to lessen the significance of religions, but on many other occasions, it has also enhanced the role of religion in determining the civil rights of people and this has been done irrespective of their consequences on women. This means that the conduct of the state in this regard has been determined by considerations other than their commitment to gender-equality. What is required is to remove religion as a relevant political factor while deciding the issue of equal democratic rights for men and women in the family. While it is possible to achieve this goal by reforming personal laws, the enactment of a common just code for all will help to severe the connection between religion and civil rights. This does not in any way mean that legal equality will make women truly equal. There will definitely remain strong social and ideological obstacles. The relationship between women's movement and law has been very complicated and raises a number of questions as to how whether or not to address the question of women's rights through law. The fact that the law has continued to project women in their stereotyped roles and images as dependents and subordinates and has played an important role in maintaining unequal power relations between men and women has led to debates as to what role can law play in challenging the existing social relations and particularly in improving the conditions of women as a discriminated and disadvantaged group? It is being argued that if law has continued to sustain the subordination of women, how it can be used to challenge that subordination. The doubts over the effectivity of law as an instrument of change have also risen because of the wide gap between law and its implementation (in areas where equal and just laws are available) and biased attitudes of police, courts and judges. It has also been argued that there are a very small percentage of women who can actually use the law because of variety of reasons. Most rural and many poor urban women have very real constraints in using law, because of inadequate information about law, legal process being lengthy, complicated and expensive and because family, religious and cultural norms deter them to step out and use courts or legal system. Their class and caste position in addition to their gender position add to Foundation Course Human Rights, Gender & Environment their difficulties in their access to legal and judicial process. Thus, engagement with law and legal process has challenged th e belief that arena of law is neutral and objective. In fact, law has to engage with institutions of society- marriage, family, religion, community etc. The feminist engagement with law is a journey of negotiating with the dilemmas that this engagement entails. On the one hand, as has been argued above, laws reinforce gendered assumptions and role to the detriment of women, at the same time law is also a site where these gendered roles and identities have been challenged. Women's movement has and needs to use law by capturing both the possibilities and limitations of law.

## Religion versus Ethnicity as a Source of Mobilisation: Are there Differences?

**Stewart, F. 2009. Religion versus Ethnicity as a Source of Mobilisation: Are There Differences? MICROCON Research Working Paper 18, Brighton: MICROCON. First published in 2009**

Abstract: The root causes of most violent conflicts lie in economic and political factors, often horizontal inequalities of various types. Yet people are organised, united and mobilised by identities, in particular ethnic or religious ones. Most conflict analyses treat religion as a subset of ethnicity. This paper explores differences between these two identities, both by reviewing literature and by analysis of some recent surveys of perceptions in a number of conflict-affected countries. It finds many similarities in mobilisation, with both identities used instrumentally by leaders, but both 'essentialised' and 'believed in' by those who are mobilised. Yet in both cases, leaders have to cultivate the identity of those mobilised, and that of the 'other', to induce violence on any scale. Religious organisation and external support are often stronger than in the case of ethnicity, but there is no evidence that religious conflicts are more deadly than ethnic ones. Preliminary evidence suggests that in the many cases where both identities are present and overlapping, the identity along which mobilisation occurs is determined by

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demographics and according to the identity which is perceived as being used politically in the allocation of government jobs and contracts. The need for both religious and ethnic leaders to work at mobilisation for some time preceding a conflict gives rise to possibilities of monitoring and intervention to prevent conflict occurring.

1. Introduction On the face of it, the answer to the question posed by the title of this paper seems rather obvious: in one case, people are fighting with divine sanction and support, in the other on the basis of rather arbitrary differences in language, history etc. This is the view of (Juergensmeyer 1993), who claims that religion fosters stronger loyalty and commitment than other identities, while Hoffman argues that for religious warriors, 'Terrorism assumes a transcendental dimension, and its perpetrators are thereby unconstrained by the political, moral, or practical constraints that seem to affect other terrorists'(Hoffman 1993). Yet others have claimed that the religious label is just a label under which people fight, and performs the same instrumental function of uniting and mobilising people as ethnic distinctions based on language or history – it is one among a number of cultural markers that together define ethnicity (Seul 1999). Economists have argued that religion develops and is used instrumentally to prosecute war in much the same way as others have analysed ethnicity's role in conflict instrumentally (Iannaccone and Berman 2006 on religion; Collier and Hoeffler 2000 on ethnicity). Indeed, many analyses classify religion either as one ethnic marker, or put 'religious or ethnic' groups in the same category. Moreover, to complicate issues, many conflicts have both ethnic and religious dimensions. This paper aims to explore this debate; to identify similarities and differences, and if there do seem to be differences, what they are and what implications they have for the nature of war and for its prevention. It is sometimes suggested that there are two alternative and exclusive explanations of the many violent conflicts (mainly within countries) that we observe today: that either they are cultural or 'civilisational' as Huntington suggested (Huntington 2002); or they have political and/or economic motivations, which may be individual or groupbased. This is a false dichotomy. Clearly, cultural differences alone are insufficient to cause violent conflict, given the large number of peaceful multicultural societies (Cohen 1974; Fearon and Laitin 1996). Hence the many socio-economic and political explanations of conflict. Among these are horizontal inequalities (inequalities among culturally defined groups), a failure of the state to provide social services or security, large numbers of unemployed youths (often semi-educated), low incomes and environmental pressures, and rent-seeking activities associated with high levels of natural resources (Auvinen and Nafziger 1999; Berdal and Malone 2000; Collier and World Bank. 2003; Gurr 1993; Homer-Dixon 1994; Horowitz 1985; Humphreys 2005; Stewart 2008b). There is empirical evidence indicating that each of these explanations has some validity.
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1. Hate (1978) in her book stated that there is positive change in the political, economics and social status of middle class working and non-working women living in four cities in Maharashtra with the advent of independence.

2 Kapur (1979) his shown that the twin roles of women cause tension and conflict due to her social structure which is still more dominant .In her study on working women in Delhi, she has shown that traditional authoritarian set up of Hindu social structure continues to be the same basically and hence. Women face problem of role conflict change in attitudes of men and women according to the situation can help to overcome their problem.

3 Rosen and Jerdee (1979) in their study stated that women were seen less favourably in terms of the knowledge, aptitudes, skills, motivation, interests, temperament, and work habits that are demanded in most managerial rolesSharpe (1979) in his book titled 'Double Identity' stated that, there are some signs of change. Men are now recognizing and having to reconcile work and family demands. When it comes to the division of labour in the home, however, despite some optimistic fore casting women still do the large majority of tasks associated with house work and childcare. Thus while men are increasingly making career discussions with their partners and families in mind, nevertheless most men do not do their share of house hold and child care tasks. This makes it more difficult for most women to be serious contenders in the competition for promotion in their career imp

4 Rowbotham (1980) in her book stated that movements of women, now in the past provide more than criticism; they can be a basis for valuable knowledge about needs and well being that have been theoretically disregarded. They also enable us to think about society and the economy in new ways and discover a great deal about the process of politics and culture.

5 Hikka Pietila and Jeanne Vickers (1981) in their book stated that violence against women exists in various forms in every day life in all societies. Women are beaten, mutilated, burned, sexually abused and rapid. Such violence is a major obstacle to the achievement of peace. imp

6 Chandrika (1982) in her study stated that in the last decade of the 20th century the spotlight fell on various specific issues of women, these include multiple feminine identity, gender and sexuality, feminization of poverty environment and sustainable development, planning and power globalization, sex tourism, sexual harassment at work place, Dalit women's issues, tribal women and minority women's problem, women's rights as human rights, communal fascism, women and media. These yielded truly in depth analysis, studies and discussions and action programmers.

7 Jaya Arunachalam (1984) in her report on "Empowering Women for a positive revolution" revealed attitude of families towards women's domestic responsibilities, the unsympathetic attitude of employers, lack of training, limiting employment opportunities and above all, women's low perception in the labour market and had provided ample impressions both to employers and the society that women work only to make subsidiary income to the families, whereas the principal breadwinner were still men. It had also given rise to belief that women were not career-minded and therefore does not mind dead and hobs without promotion options. The facts mentioned precede that even that small percentage of women who get into formal sector, face discrimination and exploitation in their factories and were pushed to accept jobs not accepted by men. A critical examination of these facts would reveal how labour intensive industries had more women workers on low schedule of payment leading to capital accumulation.

8 Rahuram Singh (1995) according to the source collected from the Hindus in India, finds that, very well educated and enlightened women occupying high positions on the one hand and on the other, finds a large section of the women population of the country in ignorance, illiterate and at low social- economic status. In recent years, there had been a growing awareness of the problem of status of women. The official efforts of the government of the centre and the states coupled with action from voluntary agencies have brought some' Tempo' into the women's movement in the country

9 Chatterjie (1997) in the opinion of women have no role in housing decision that is decision regarding choices of residence. In the housing plans, the fulfillment of women's needs is not guaranteed.

10 Srilekha Basu (2000) status that the developing countries are characterized by low income, illiteracy, unemployment and low standard of living. In these counties extra income eared by women is vital to cross the poverty line. so the initiative in making the intended changes must come from the government itself in the from of incentives to women who are bound by tradition and constrained by established bent on preserving the status women in 15 to 59 age group if not in labour force are to be considered as unused rezones (except when they are sick or students) A change in the attitude towards life is imperative to ensure that women gain confidence in their own capabilities and a new value system is accepted by the societ

11 Shoba B Nair (2001) states that quality of life has political, economic, social, cultural, environmental, psychological dimensions in addition to health. She admits that there is no commonly accepted index for factors like political and cultural life. Therefore PQLI is measured in terms of education, birth rate and death rate including modality rate. She tries to show how the higher status of women in kerala has contributed to a better quality of life taking into account age of marriage, education, birth rate, expectations of life, mortality and health care. She concludes that higher status of women reduces the status gap between the two sexes and reduces higher PQLI.y.

12 Siwan Anderson:Payments between families at the time of marriage existed during the history of most developed countries and are currently pervasive in many areas of the developing world. These payments can be substantial enough to affect the welfare of women and a society's distribution of wealth. Recent estimates document transfers per marriage amounting to six times the annual household income in South Asia

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(Rao, 1993), and four times in sub-Saharan Africa (Dekker and Hoogeveen, 2002). Prevalence of Dowry The dowry system dates back at least to the ancient Greek city-states (800 to 300 BCE) and to the Romans by around 200 BCE. The Greco-Roman institution of dowry was then eclipsed for a time as the Germanic observance of brideprice became prevalent throughout much of Europe, but dowry was widely reinstated in the late Middle Ages. In medieval western Europe and later, dowries were common practice among most, if not all, social and economic groups. Since dowry was required under Roman law, dowries were also transferred in many parts of the Byzantine Empire until its fall to the Ottomans in the fifteenth century (Patlagaen,1996). Dowry payments were prevalent in seventeenth and eighteenth century Mexico and Brazil, where Spanish and Portuguese family law governed colonialTable 2

**Prevalence of Dowry in Contemporary Societies:**

| Country | Years | Paid a dowry # | Observations |
|---|---|---|---|
| Rural India | 1960–1995 | 93% | 1217 |
| Rural India | 1970–1994 | 94% | 1842 |
| Rural Pakistan | 1970–1993 | 97% | 1030 |
| Pakistan | 1986–1991 | 87% | 1300 |
| Rural Bangladesh | 1945–1960 | 3% | 2303 |
| Rural Bangladesh | 1960–1975 | 11% | 3367 |
| Rural Bangladesh | 1975–1990 | 44% | 3745 |
| Rural Bangladesh | 1990–1996 | 61% | 1065 |
| Rural Bangladesh | 2003 | 76% | 1279 |

Source: Information for the first sample from rural India comes from the NCAER(National Council of Applied Economic Research, India) data provided by Vijayendra Rao. The second sample is from the Survey on the Status of Women and Fertility (SWAF) by the Population Studies Center, University of Pennsylvania. For Pakistan, thefirst sample is from the SWAF, the second from the surveys of the World Bank's Living Standards Measurement Study. The Bangladesh data for the earlier years is from the Matlab RAND Family Life Surveys; the final sample, for the year 2003, is from Suran,

The Indian subcontinent covers an area of 1,269,346 square miles (3,287,590 square kilometers). It is the seventh largest country in the world, with a population that exceeds 1 billion, making it the second most populous country in the world after China. The Himalayan Mountains, the highest range in the world, separate most of northern India from the rest of Asia. The southern half is a triangular peninsula that stretches southward to the Tropic of Cancer and extends into the Indian Ocean. The Arabian Sea lies to the west of India, and the Bay of Bengal to the east of India (Census of India 2001) India has a rich cultural, social, historical, and religious heritage. The Indus Valley civilization that was established around 2500 B.C.E. was a rich, advanced, and prosperous civilization. Since that time, the Greeks, Persians, Turks, Mughals, and Europeans have collectively enhanced the religious beliefs, traditions, spirituality, and culture of India.

India is a secular and pluralistic society characterized by tremendous cultural and ethnic diversity. It is made up of twenty-eight states and seven union territories. There are eighteen different languages and more than 300 dialects spoken by the Indian people. Indians practice many religions. Hinduism is the dominant religion in India, but through the centuries Indians have learned to coexist with people of other faiths. A majority (83%) of Indians are Hindus, about 14 percent are Muslims, 2.4 percent are Christians, 2 percent are Sikhs, .7 percent are Buddhists, .5 percent are Jains, and there are smaller numbers of Bahai, Jews, and Zoarastrians (Observer Research Foundation 2001; India at a Glance 2001).

India is distinctive in the proportion of people living in rural and urban communities. In 1999, 72 percent of the residents lived in rural areas and 28 percent lived in urban communities. The proportion of rural-to-urban residents is high, although India is the tenth most industrialized country in the world (World Development Report 2002). The literacy profile of Indians has greatly changed from a mere 5.3 percent in 1901 to 36.13 percent in 1981, to 52 percent in 1991, to 65.38 percent in 2001. The literacy rate is higher (73%) in urban areas as compared to rural areas (44%). Also, males have a higher literacy rate (76%) compared to females (54%) (Mullatti 1995; Census of India 2001).

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THE COMMUNIST PARTY IN KASHMIR; ITS ORIGIN, POLITICS AND ROLE.

The Communist Party is an All India Party and aims at the establishment of a socialistic socity on the basis of Marxism through capture of power by the workers and the establishment of a proletariate state. It is playing the same role in the Jammu and Kashmir state as that of its parent organisation in India.

However, the origin and development of the leftist sentiments, feeling and ideas among the progressive Kashmiris elites, initiated firstly by Dr. K, M. Ashraf-a leading Marxist intellectual from British India, were closely related to the Socio-Politico-Economic conditions prevalent in the state as early as 1930. Moreover the Communist Party of India turned its attention to Kashmir in 1937 when the two pronint Moscow-trained workers fron Lahore -Prof. Abdullah Safdar and Fazal Ilahi Kurban began visiting the valley frequently and contacted some of the leaders of the Muslim Conference.[II] For the first time, the Communist infilitration in Kashmir, thus, started in the wake of widespread arrests in British India of the Red workers in the earlier period of world war second, when a number of them had gone underground and sought refuge in various parts of the state.[I2] Ajaya Ghosh, Prof. Abdullah Safdar Ehsay Elahi Qurban and seeral others prominent communists were among them.[I3]

Resolving not to have a regular unit of the Communist Party of India in the state, and functioning within the All Jammu And Kashmir National Conference in the form of Free Thinkers Club, Study Circle, Indio-Soviet-Frendship Society, Trade Union Movement, Progressive Writers League, The National Cultural Front, Democrative National Conference etc. the comrades had tried to infkuenxxx infuse the radical ideas an among the Kashmiri intellctuals, Literary Circles and the then newly emerging leadership.

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ties. After two years
ment talks the climax came and Mr. G.M.Sadiq on 28th Nov., 1960 recommended the merger and the solidarity of those who had pledged to work for the unity and integrity of Kashmir as an integral part of the Indian union[90]. However, a small section of the party led by Mr. Ram Piara Saraf, the General Secretary of the party, opposed the merger[91]. But the decision for the dissolution of Democratic National Conference and its merger with National Conference was welcomed in New Delhi[92].

## 7.17 THE COMMUNIST PARTY IN KASHMIR : ITS ORIGIN AND ROLE

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23. Ibid.

24. Sharma, Ram Nath : Test Book of Educational Philosophy, Op. Cit. pp. 261-262.

25. Rao, Vanda Matharam Rama Chandra : Spot-Light on Truth, Op. Cit. pp. III - 10-11.

26. Ibid.

27. Sharma, Ram Nath : Test Book of Educational Philosophy, Op. Cit. pp. 265-266.

28. Ibid.

29. Rao, Vanda Matharam Rama Chandra : Spot-Light on Truth, Op. Cit. P. III - 32.

30. Bharadwaia, Dr Chiranjiva, Light on Truth, Op.Cita - P. 81.

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# THE PRE-1953 STATUS - ITS CONSTITUTIONAL AND POLITICAL IMPLICATION : A BRIEF REPRASIL

By: Dr. Vidya Bhushan

The motivational variations arising out of varied political considerations and failure of the Centre-State leadership at various levels to reconcile the various claims and aspiration led to the crisis of August 1953, in which the first popularly elected ministry of Sheikh Mohammad Abdullah was dismissed and he along with his few stranch supporters was arrested. All the subsequent political regimes were nothing but the puppet governments which further contributed in the alienation of the Kashmiri masses by their wrong policies. As a result the problem of communalism and secessionism had taken a serious dimension in the Valley. Moreover, number of Kashmiri elites not only started challenging the State accession to the Indian Union but also pleaded for holding plebiscite to decided it finally. Pakistani influence was still on increase and Sheikh Abdullah was still regarded as undisputed leader of the Valley. The National Conference leadership was pressing hard for pre 1953- political status for Kashmir.

On the other hand, the failure of Pakistani army to capture Kashmir by force in 1947, 1965, and 1971 wars, Pak turmoil because of not accepting Mujube-ur-Rehman, a person from east and whose party got absolute majority in the Legislature, as Pak Prime Minister, civil war in East Pakistan, commission of massacring, rapping and other atrocities by Pak.army on the Co-Muslim brotherns had a deep impact on the thinking of Kashmiri elites in general and top Kashmiri leadership in particular. Most of them were

in this

Dr. Farooq

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convinced that Kashmiris might be treated on the same way as that of the Bengali Muslims of East Pakistan if the Valley acceded to Pakistan. They were equally convinced that the possibility of Kashmir to be independent was a very black as it was surrounded by a number of big impures. They, therefore, of the view that if there could be any solution of their problems it would be the within the framework of Indian Constitution.

As at international level Kashmir issue was still being treated as an international issue, the central leadership was always keen to arrive at a durable solution of the issue. The Indian leadership was also convinced that it was not possible to arrive at a solution as well as to get a permanent peace in the valley without taking Sheikh Abdullah into confidence as he was still regarded as undisputed leader of the Valley.

Under these conpelling circumstances a prolonged negotiation started between Mr. Parthsarthy and Mr. M.A. ---the representative of Mrs. Indira Gandhi and Sheikh Abdullah, which resulted into Indiria -Sheikh Accord of 1975. During the dialogue the Kashmiri representative repeatedly stressed for the pre-1953 politicial status for Kashmir. They were of the view that all the pre-1953 regime contributed in in the erosion of State autonomy as guaranteed under Instrument of State's Accession as well as Article 370 of the Constitution of India.

The demand was again raised during 1977 State Assembly Elections. But nothing substantial had been done in this direction. Almost same thing happened during Dr. Farooq Abdullah's regime. During 1996 Assembly Elections, the

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National Confrence leadership once again raised the slogan of maximum State autonomy i.e. pre 1953 political status sfor Kashmir and National Conference had placed emphasis on this in its election manifesto also, and advocated for the acceptance of ~~~ 1952 Delhi Agreement or the restoration of the pre-1953 political arrangment. The return to power of Dr. Farooq Abdullah in Kashmir with 2/3rd majority of National Conference after almost seven years in wilderness was a great occasion for the party.

In order to fulfil election promises, Dr. Farooq Abdullah set up a Committee under the Chairmanship of Dr. Karan Singh, Sadar-e-Riyasat to go into the question of quantum of effective autonomy that the state may enjoy within the Constitution of India. And to have a comprehensive into the State's relationship with the Centre as it evolved since it acceded to India.

The Constitutional relation between Kashmir State and the Indian Union was first determined by the Instrument of Accession signed between Maharaja Hari Singh - the last Dogra ruler and Lord Mountbatten a way back on 26th Oct., 1947. By virtue of this Instrument of Accession sthe Dominion of India's Legislature could make laws for the Kashmir State in respect to:-

A) <u>Defence</u> :

1. The naval, military and air force of the Dominion and any other armed force raised or maintained by an acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.

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2. Naval, military and air force works, administration of Cantonment areas.

3. Arms, fire-arms, ammunition.

4. Explosives.

B) External Affairs

1. External affairs, implementing of treaties and agreements with other Countries, extradition, including surrender of criminal and accused persons to parts of His Majesty's Dominion outside India.

2. Admission into and emigration and explusion from India.

3. Naturalisation.

C) Communication

1. Post and Telegraphs, telephones, wireless, broadcasting and other like form of communication,

2. Federal railways.

3. Marine shipping and Navigation

4. Port quarantine.

5. Major ports.

6. Air Craft and Air navigation.

7. Light Houses.

8. Carriage of passengers and good by sea or by air

9. Extension of the power and jurisdiction of the Police force belonging to any unit to railway area outside that unit.

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D) Ancillary

1. Election to the Dominion Legislature
2. Offences against laws with respect to any of the aforesaid matters.
3. Inquiries and Statistics.
4. Jurisdiction and power of all Courts with respect any of the aforesaid matters.

Later on, when the Constitution of India was being completed by 1950 certain principles were agreed upon the representatives of both the Centre and the State in May 1949. The position was crystallised finally when the special provision Article 306-A was drafted forbeing placed before the Constituant Assembly of India. The position ultimately emerged that Article 1 and Article 370 of the Constitution of India were to apply to Kashmir State in their original form. According to 370(1)(a) the Provision of Article 238 shall not apply in relation to the State. By clause (b) the powers of the Parliament to make laws for the state shall be limited to (i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to crrespond to matters specified in the Instrument of Accessiongoverning the accession of the State to the Dominion of India and the matters with respect to which the Dominion Legislature may make laws for that state; and (ii) such other matters in the said lists as, with the concurrence of the Government of the X State the President may by orders specify.

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Thus the Constitution (Application to Jammu & Kashmir Order 1950) issued on January 26th, 1950 with the Consultation of Jammu and Kashmir Govermment defined the jurisdiction of the Union Parlaiment and the provision of the Indian Constitution application to J&K. The subject matter of this order related to the elaboration of the subject already specified in the Instrument of Accession. To frame a separate Constitution, the Kashmir Constituent Assembly was elected in October 1951, the monarchy was abolished and elected head of the State - Sadar-e-Riyasat was elected on June 12, 1952. The new falg or Emblem was also adopted by the State, and was also adopted by the Constituent Assembly of the State in June 1951.

In Jammu, Praja Parishad strongly objected to the provisions in the Constitution of India which awarded J&K State a special status. It also objected to the permission granted to the State to have its own Consembly to frame a separate Constitution. The Parishad leaders were critical and opposed the abolution of Monarchy, elected head of State, separate flag and emblem for the State. The Praja Parishad movement for one President, one flag, one Constitution had a reaction in the Valley and Kashmiri leadership wee not in a mood of relinquish the maximum autonomy as guranteed by the Instrument of Accession as as well as under Art. 370 of the Indian Constitution. All this led to the emergence of bitterness and tug of war between Jammu integrationalists and Kashmiri autonomists. Even the misunderstanding between the State and Central leadership about the Kashmir constitution related with elections also emerged.

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In order to iron out the differences a dialogue started between the Centre and State leadership, which resulted in the adoption of the Nehru-Sheikh Accord (Delhi Agreement ) of 1952. As a result of the accord the residuary powers remained with the State, the State flag was to continue, but the supreme position of the Indian flag was also recognised. The powers of Pardon etc. of the President and application of Article 324 to the election of the Parliament would continue. On the question of headship of the state the decision of the Constituent Assembly of the State was accepted and Sadar-e-Riyasat to be elected by the Assembly for a period of 5 years and be recognised by the Preisent. It was further agreed that although under Article 5 of the Constitution of India the residents of Jammu and Kashmir would be the citizen of India, but the State Legislature could define their permanent residents and confer on them special rights and privileges, especially in regard to the acquisition of property and holding of employment under the State.

The State Government was accused of implementing only those provisions of the Accord which aimed maximum autonomy. The Praja Parishad launched a movement. By and by the movement assumed serious proportion in which fourteen persons were killed in Police firing and thousands were arrested Sudden death of Dr. S.P. Mukherji in detention at Srinagar in mysterious circumstances worsened the situation. Simultaneously the rift was reported to have been emerg d in the National Conference leadership. This had created the cracks even in Council of Ministers. The first popularly elected

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ministry was sacked and Sheikh Mohammad Abdullah, Prime Minister of the State was arrested.

The leaders of opposition parties inside and outside the state [illegible] do not favour the grant of Pre-1953 Constitutional status to Jammu and Kashmir. They are of the view that the Constitutional relationship between Centre - and State as incorporated in the provisions of Instrument of Accession 1947, different resolutions aopted by the Kashmir Constituent Assembly till August 1953, and under the Nehru-Sheikh Accord of 1952, serious limitation have been placed on the authority of the Union President and the Parliament. Objections were raised with regard to restricted powers of the Centre in respect of Emergency power, [illegible] Fundamental Rights, Double citizenship and the Supreme Court jurisdiction.

While replying to the those who opposed Pre-1953 status Dr. Farooq Abdullah in his recent speech in the State Assembly, said that as his party has absoluted majority it could get legislation of such nature passed. But he preferred to get the cooperation of the masses. That was why a Committee under the Chairmanship of Dr. Karan[illegible] Singh the former Sadar-e-Riyasat was constituted to go into the pro- and cons. of the issue before taking final decision.

While concluding I may say that the Pre-1953 constitutional position of J&K State will mean. The accession of the State with Indian Union only in three subjects - Defence, External Affairs and Communication. The Parliament will have ~~no~~ limited authority viz. to legislatue only on the

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related matters covered in the above mentioned three subjects as well as ancillary matters. Article 1 and Article 370 of the Indian Constitution shall be applicable ~~as~~ to J&K in its original form. The provisions of Article ~~238~~ 238 shall not be applicable to the State. The powers of the Union Parliament to make law for the state shall be limited to those matters in the Union List and the concurrent List which in consultation with the government of the State, are declared by the President to correspond to matters specified in the Instrument of Accessionand such other matters in the said lists as with no concurrence of the governmentof the State the President may by order specify. In rest of matters the state had full authority to regulate in accordance of its own Constitution that is the residury powers shall be with the state. The State shall have and elected head of the State, a separate flag, separate emblum, Article 324 for the election of Parliament could continue to apply. Although under Article 5 of the Constitution of India the resident of the state shall be citizen of India. Yet the State Legislature could define their permanent residents and confers on them special rights and privileges especially in regard to the acquisition of property and employment in the State. Article 352 should apply to the State but the proclamation of emergency (Internal disturbances or imminent danger)thereof must not be made in relation to J&K except on the request or with the concurrence of the State Government. The Fundamental Rights of the Indian Constitution could not be applied to J&K in full because of different political situation in the state and because of Socio-economic Policies of the State government under

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New Kashmir programme. The whole matter be considered which Fundamental Right would apply to Kashmir with what modifications.

The jurisdiction of the Supreme Court with regard to such Fundamental Rights as would be agreed to by the State, and also regarding disputes mentioned in Article 131 of the Indian Constitution. It would, however, final court of appeal and details for it to be worked out.

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# POLITICS OF JAMMU AGITATION - 1978 - 79

As the Praja Parishad movement of 1952-53, the dismissal of the first popularly elected ministry of Sheikh Abdullah in August 1953, his arrest and the subsequent regimes could not redress any substantial grievances of the people of Jammu region, the masses there continued to be discontented, tensed and frustrated. Their frustrations had been manifest in various movements launched in the region in the post August 1953 period. The major charges levelled by various political parties and groups of Jammu was that the region was discriminated against not only in the matter of appointments, promotions, admission to professional institutions by disregarding consideration of merit, allotment of developmental funds but also in regard to sharing of political powers.[1] Even all the recommendations of B.P. Gajendargadkar Commission of 1967 to inquire into the regional imbalances were not fully implemented by the then state government.[2] The Jammu Autonomy Forum and the local unit of the Socialist Party of India, thus, raised the slogans for the grant of Regional Autonomy for Jammu Region[3] as well as adoption of a just policy for recruitment to government jobs.[4] The Secretary Sikh Brotherhood Jammu, and the state unit of Congress (I) also condemned the policy of discrimination adopted by the State government and demanded to remove regional disparities.[5] In short by 1977 Jammu region ~~was~~ seemed to be full of tensions and irritations and bubbling with feelings of deprivation.[6]

However, 97 days movement (called Poonch Agitation) ~~launched~~ by the rejected qualified candidates against the backdoor appointment of teachers by the District Recruitment Board Poonch in October 1977[7] had added fuel ~~to~~ into fire. It

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provided the flash point of regional upsurge throughout Jammu. Over two thousand students of various Colleges as well as the University of Jammu took out a protest procession and marched to the state Secretariat on 29th November, 1978 in sympathy of agitating Poonch students.[8] Even the opposition parties of Jammu called an emergency meeting to take stock of Poonch Agitation.[9] Some of opposition leaders gave a call for Jammu Bandh on December 4, 1978 as a mark of protest against the police firing at the peaceful students in Poonch on Dec. 2, 1978.[10] As the discontent of the people had been accumulated over years the bandh provided them an opportunity for a powerful outlet. The bandh, therefore, assumed not only violent but dangerous dimensions and resulted into attack on Police stations, burning of government vehicles and destroying public property.[11] Some violent incidents also occured in bandhs observed at Rajouri, Udhampur, Mandhar, Akhnoor and some other cities of Jammu region.[12] Such incidents further worsened the law and order situation in the region. In short the violence that ensued left behind a trail of bitterness in the shape of some loss of public property, huge loss to the State economy and the loss of a few precious human lives. The agitators, initially voicing their feelings against the alleged discrimination in the selections, soon broadened the canvas of their campaign to ventilate their pent-up chauvinism about the remaining two regions on the score of imbalances alleging that the Jammu region had been discriminated against.[13]

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However, an All Parties Jammu Committee comprising of 21 members from various oppositions parties and groups. Under the Presidentship of L. Suraj Parkash Gupta - a leading Advocate from Jammu-was constituted to express its solidarity with the demands of the Poonch agitation, including inquiry into irregulariti s in recruitment and police excesses.[14] Mr. Dhanraj Bargotra - the then sitting M.L.A. was its Secretary. Later on it decided to enlarge its scope to struggle for permanent solution of the Jammu problems.[15] Its aim was also 'to expose chauvinistic approach of the ruling party to-wards the problems of Jamm and to support the peaceful struggle of the people of Poonch against worst kind of nepotism, corruption and injustice."

With this end view, the All Parties Jammu Committee unanimously adopted the following proposal on 6th December, 1978 drafted by the Sub-Committee headed by Khan Mohammad Ayub Khan:[16]

"There should be statutory, political and democratic set up at regional, district, block and Panchayat levles with a view to giving a sense of participation to all section of people and areas within each region and furthering the following objectives.[17]:

1. Strengthening the national integration and integrity of the state;
2. Promoting communal harmony;
3. Maintaining identity of the three regions of the State;
4. Ensuring a sense of equality among the people of the three regions;

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5. Safeguarding the interest of minorities, scheduled castes, socially and educationally backward classes, economically backward sections and backward areas, displaced persons and exservicemen."

The proposal further stressed that "to recommend details of the above set up a Commission headed by a retired Judge of the Supreme Court should be appointed immediately which should submit its report within six months."

While commenting on the movement Dr. Karn Singh pointed out that the agitation in Jammu region be not treated just as a matter of law and order problem. He said that the trouble in Jammu was in fact a part of the broader question of regional imbalances and Poonch was only a symbol of the Pent anger in Jammu caused by discrimination in various fields" He was of the opinion that the government should understand the pro lem and accordingly to take steps to avoid tension in the region.[18] He expressed the need for ensuring the maintenance of the State's integrity which could only be possible by means of treating all the three regions — Jammu, Kashmir and Ladakh — on the basis of Justice and equality. He also justified the demand for setting up a judicial Commission of inquiry under a retired Chief Justice of the Supreme Court of India.[19] Reacting on the comments of Dr. Karan Singh, Sheikh Abdullah accused him as having created the trouble in Jammu.[20] On the other hand the opposition parties had taken a joint decision to continue the struggle till some solution was struck out.

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The State government then announced a proposal for the constituting of a Committee of fifteen legislators belonging to ruling party as well as opposition parties to look into allegations of regional imbalances.[21] While rejecting this proposal the opposition leaders of Jammu accused Sheikh Abdullah, the then Chief Minister of the State, for side tracking the real issue and seeking perpetuation of his undemocratic authoritarian rule.[22] They also criticised him for his erstwhile statements in which he had said that Jammu region lacked in popular leadership and that the region itself was heterogenous in its compositions[23]

By January 1979 serious differences emerged among the state unit of Janata Party legislators on the issue of regional imbalances in the State. Mr. Rishi Kumar Kaushal - one of the Janata Party leaders and the sitting member of the Assembly declared his full support to Sheikh Mohammed Abdullah and wanted the withdrawal of the movement. But majority of the rest of Janata Party legislators did not agree with him and wanted that the movement be continued till constitutional guarantees were provided to safeguard the interest of Jammu.[24]

However, the demands of the All parties Jammu Action Committee and other issues arising out of the agitation were discussed threadbare between the Chief Minister Sheikh Mohammad Abdullah and the representatives of the Committee

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on February 28 and March 2, 1979.[25] The Chief Minister informed the representatives that the government had, in pursuance to the recommendations of the Legislators Committee decided to appoint a Committee of experts consisting of an economist of repute, a Constitutional expert of high standing (preferably a retired Chief Justice of India) and an Administrator with sufficient experience to look into the question of regional imbalances in the field of development, services and admission to professional institutions and to suggest measures Constitutional or otherwise to remove the imbalances and to ensure permanently a just and an equitable treatment to all the regions of the State and all the areas within the regions.[26] He also agreed to release political prisoners including detenues and those arrested during the agitation and to withdraw all cases excepting those involving offences of very grave nature, as soon as the agitation would be called off.[27] He further agreed to widen even the scope of the Commission of Enquiry set-up to proble into Poonch firing by including within its ambit an enquiry into the circumstances immediately leading to firing of December 2, 1979 and subsequent cases of Police firing there.[28]

Other demands of the Action Committee were also discussed with the Chief Minister who agreed to take action with regard to them in the manner indicated below.[29]

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"(a) He assured the All Party Committee that civic election in Jammu region would be held as soon as normalcy is restored;

(b) He informed the representatives of the Committee that the Government had already announced its decision to appoint a High Power Committee to consider reforms in the present system of [illegible] education with a view to solve the problems of unemployment.

(c) With regard to the demand of restarting Ayurvedic College in Jammu the Chief Minister [illegible] assured the Committee that he would formally urge the Central Government to consider setting up of full fledged regional Ayurvedic and Unani Colleges in the State as it was beyond the resources of the State Government to set up such Institutions on its own.

(d) The Chief Minister informed the representatives of the Committee that the matters relating to the Displaced persons of 1947, which concern the State Government had alrdady been sorted out and an Implementation Committee had been set up for this purpose under the Chairmanship of the State Rehabilitation Minister. He would ensure early solution of these problems and implementation of the decisions;

(e) In regard to the problems of Displaced persons from West Pakistan who migrated to the State in 1947 and those who have been resident in the State for more than 25 years, the Chief Minister assured the Committee that the question of granting to these people the civic rights would be considered sympathetically;

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(f) As regards the demand for reinstatement of the Government Employees dismissed from service during Emergency the Chief Minister assured the Committee that their cases are always open to review;

(g) The Chief Minister further agreed to discuss the matter relating to students with their representatives as early as possible;

(h) The Chief Minister informed the representatives of the Committee that a Committee has already been set-up to fix minimum wages under the Minimum Wages Act. He agreed to an early action being taken in this regard; and

(i) The Chief Minister agreed to order enquiry at district level into the alleged irregularities in the distribution of Taccavi loans, fertilizers, cooperative loans etc. and agreedu to examine the quetion of recoveries in easy instalments.

The representatives of the All Parties Jammu Action Committee expressed full satisfaction with the decision taken and assurances given by the Chief Minister. They, therefore, agreed to recommend to the All Party Action Committee to call off the agitation.[30]

L. Suraj Prakash Gupta, the President of All Parties Jammu Committee in his letter to Sheikh Mohammad Abdullah dated March 4, 1979 informed him that the Draft Accord sent by him had been approved with the following amendements and delitions:-[31]

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"1. The words, "In pursuance to the recommendation of the Legislator's Committee" be deleted.

2. After the words, "or otherwise" in Para 2, the words, "to provide a sense of equal participation" be inserted.

3. After the word "All that"and before the word "regions" the word "three" be added.

4. In paras 3, after the word "release" the word "all" be inserted.

5. In para 'd' the words "These problems" be substituted by the words "all the problems, whether sorted out or not, pertaining to the displaced persons of 1947, 1965 and 1971."

6. In para (c) after the words "on the own" the words "and in the meantime the Ayurvedic College in Jammu will continue to function" be inserted.

7. In para 'g' the words 'as early as possible' be substituted by word 'immediately.'

8. In clause (e) the words "civil and rights of a citizen" be substituted for words "civic".

The original draft was then returned to Chief Minister for making necessary changes and hoped that in the spirit and congenial atmosphere in which they had met each other he would agree to the amendment suggested and to enable them to take further necessary steps in that matter.

The Chief Minister Sheikh Mohammad Abdullah in his letter dated March 5, 1979[32] informed to L. Suraj Prakash Gupta - the President - that so far as amendment No.1, it would

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would be unfair to omit a reference to the recommendation of the Legislators Committee. He also justified for not accepting the proposed amendment second. He also accepted the thrid proposed amendment. So far as proposed amendment No.6, he assured that those who would seek admission to the Ayurvedic College in Jammu or Unani College in Srinagar would be considered for admission in highly reputed Colleges in the Country and appropriate financial assistance both in the form of loan and scholarships would be made available by the State government. So far as proposed amendment No. 7, he thought was an unnecessary apprehension expressed by them. As regard proposed amendment No.8, he pointed out that the word 'civic' had already been mentioned. In the end of his letter he once again assured him that there was no room for distrust and that he sincerely wanted to set rest all the problems which need the attention of the government regardless whether they found a mention in the record note or not.

In his reply to Sheikh Mohammad Abdullah dated March 6, 1979[33] L. Suraj Prakash Gupta, the President All Parties Jammu Committee, Jammu regretted that he had not found it possible to accept all the proposed amendments. He further pointed out that they had decided in the larger interest not to adopt a rigid and uncompromising attitude. He said that the revised agreement incorporating the agreed changes, though not fully satisfactory nonetheless did meet to a substantial extent of main demands of the agitators. They had, therefore, decided to accept amended agreement and to call off the agitation. According to Accord both the parties agreed[34]:-

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"a) That a Committee of Experts consisting of Economists of repute, a Constitutional expert of high standing preferably a retired Chief Justice of India and an administrator be appointed to look into the question of regional imbalances;

b) that all the Political prisoners and detenues and the persons arrested during the agitation be released and all the cases excepting those involved in offences of very grave nature, be withdrawn.

c) that elections in the Jammu region would be held as soon as normal conditions were restored;

d) that a high power Commission to consider reforms in the system of education with a view to solve the problems of unemployment would be appointed.

e) that an Ayurvedic and Unani College in Jammu with the consent of the Central Government would be started;

f) that an early settlement of the dispute relating to the displaced persons of 1947 was ensured by the government;

g) that the grant of civil rights to the displaced persons migrated from West Pakistan was ensured by the Government

h) that the cases of government employees dismissed from services during emergency would be reviewed by the Government;

i) that the government would take an early decision in the matter of fixing minimum wages under the Minimum Wages Act; and

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j) that the government would order an enquiry at district level into the alleged irregularities in the distribution of Taccavi loans, Fertilizers Coperative loans and would examine the quetion of recoveries in instalment thereof."

On the basis of this Accord not only the Jammu agitation which was called off on March 6, 1979 but the President of All Partics Jammu Committee also assured Sheikh Mohammad Abdullah, the Chief Minister of the State, that in the task of ensuring a fair deal for the three regions and and safeguarding the democratic rights and aspirations of the people of the state he would have the full cooperation of the Committee.[35]

Many factors had contributed to the success of the Jammu Agitation of 1978-79. Mention may particularly be made of the martydom of the youth, courageous struggle of students, active cooperation of all sections of the people and their unstinted faith in secularism, solidarity expressed by the senior leaders of Kashmir and Ladakh, interest shown by national leaders viz., Shri H.M. Patel, the then Union Home Minister, Shri Chandra Shekhar, the then Janata Party President, Lok Nayak Shri Jayaprakash Narayan etc.[36]

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